

Early Intervention Rules 2019

Frequently Asked Questions

This document answers questions submitted by the Early Intervention (EI) field regarding EI rules issued July 1, 2019. This includes rules:

5123-10-01 (Early Intervention Services – Procedural Safeguards)

5123-10-02, Appendix A, Appendix B, and Appendix C (Early Intervention Eligibility and Services)

5123-10-03 (Early Intervention Services – System of Payments), and

5123-10-04 (Early Intervention Services – Credentials for Early Intervention Service Coordinators and Early Intervention Service Coordination Supervisors)



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Frequently Asked Questions EI Rules Effective July 2019

NOTE: We received many questions that were similar and resulted in the same answer. For purposes of condensing the document, these have been combined.

Red text = questions added on Nov 2019 FAQ update

Credentialing: Early Intervention Service Coordinator and Service Coordination Supervisor 5123-10-04

EISC and EISC Supervisor Credential Applications and Renewals

Q: How will **current credentialed SC AND SC Supervisors renew under new rule?**

A: Regardless of current credential level (the current SC could be a I, II, or III), each level will be eligible for the 5 year ***at the time of their renewal.***

If you have a current SC/ SC Supervisor credential, that credential is in effect until it expires. To receive the 5- year “transitional” EISC/EISC supervisor credential, one must document completion of 20 hours of professional development during the previous two years **AND** must document completion of the following required professional development:

- a) Introduction to early intervention services
- b) Mission and key principles of early intervention
- c) Family centered early intervention practices
- d) Individualized family service plan overview (REVISED – highly recommended since this will cover the new IFSP form)
- e) Mandated reporting of suspected child abuse or neglect (NEW)
- f) Service coordination duties and processes (NEW)
- g) Parent rights and procedural safeguards in early intervention (NEW) and
- h) Infant and toddler development (NEW)

These modules count towards the 20 hours of PD required as long as they were completed within the previous two years. If one took Intro to EI in 2016, they can submit that certificate to verify completion of the course, but that won't count for professional development during the two-year renewal period (2017-2019).

Most who currently hold a SC credential will have already completed many of these trainings, and **they do not need to be re-taken.** However, we strongly encourage taking the IFSP Overview since it has been revised to cover the new IFSP form. **The new modules will be available on MyLearning July 1, 2019.**

Once issued the *first* 5-year SC Supervisor credential, 50 hours of professional development must be completed within that 5-year period. Hours spent completing the new Principles of Service Coordination course can be used to help meet the 50-hour requirement. Or, one can choose to “test out” of the course. However, one would still be required to take 50 hours of department approved professional development. You will also be required to have a skills inventory completed. 5123-10-04 (E) (3) (a) (i-ii)

Summary:

- Current credential in effect until it expires – (20 hours of professional development, eight required modules)
- Transitional 5-year EISC credential (20 hours of professional development, eight required modules)
- Renewal of 5-year EISC credential (POSC – complete or test out, 50 hours of professional development)

Q: The modules don't count towards professional development hours?

A: After checking with rule, we have determined that the 8 modules can be used toward EISC professional development training credit if taken within two years prior to credential renewal.

Q: Is the principles of SC that was mentioned a new training and is this in-person? Where is this available to sign up, and do we take it even if we've taken principles of SC before?

A: This is a revised POSC online course. All existing EISC's will be required to take the course or pass the competency tests. 5123-10-04 (E) (3) (b) (i-ii). There is one in-person session in Franklin Co during the first module of the course, but the remainder is online. Schedules will be posted soon.

Q: I want to clarify who all principles of service coordination is required for and it is 80 hours correct?

A: The new POSC course will be required for "new" or initial applicants (5123-10-04 (C) and (D)). The POSC course is also required for those who will hold the transitional 5-year EISC and EISC Supervisor credential. (5123-10-04 (E)(F)). The POSC course will provide 80 hours of professional development credit. 5123-10-04 (C) (2)(a) (iii).

Q: If you test out of the principles of SC training, do you still receive PD units? Also, is the training available now or will it be available on July 1st?

A: PDU's are not provided if you test out. We are piloting the POSC course, including the testing out process and will launch in July 2019.

Q: Does a new EISC have the option of testing out of the Principles of Service Coordination course?

A: No. Only EISC's with an existing credential on 07/01/2019 have the option of testing out of the POSC Course. 5123-10-04 (E) (3) (iii). The requirements for new EISCs are listed in 5123-10-04 (C)(2)(a)(iii)

Q: With the new rule, as Supervisor, do we need to continue to carry SC1 and Supervisor?

A: You will need the EISC Supervisor credential only. The EISC Supervisor credential allows EISC Supervisors to provide EISC services to families.

Q: Do the 4000 hours worked to renew a five-year EISC credential have to be as a Service Coordinator? I am credentialed but work as the EI SLP.

A: The 4000 hours must be obtained while working as an EISC OR as a provider of EI services vis IFSP 5123-10-04(C)(2)(b)(i)

Q: I work part time. Do I still need 4000 hours to renew?

A: Yes 5123-10-04 (C) (2) (b) (i). The 4,000 hours must be over the most recent 5-year period.

Q: How do you verify the 4,000 working hours/submit them to DODD?

A: Your working hours will be verified via attestation from your employer. DODD is developing a sample attestation form that employers may use. If they do not use the form, they can provide a letter stating that at least 4,000 hours was worked by the EISC.

Q: Is there a difference between the work experience required for the 1 and 5-year EISC supervisor credential? I thought the 1-year slide said 3 years, but the 5-year slide says 2. Did I misread this?

A: There is no difference. To obtain an initial EISC Supervisor credential and if you have a non-related bachelor's degree you must have **three** years of verified full-time or equivalent part time work experience in supervision, service coordination, case management and/or working with children who have delays or disabilities that have a high probability of resulting in a developmental delay and their families. 5123-10-04(D)(1)(b)(ii) and 5123-10-04 (D)(2)(a)(i)(b)

Q: Can a checklist for each type of renewal be created that supervisors can use to help keep SC's on track?

A: We have a table available; it was included with the handouts provided with this webinar and will be posted to the EI website under Providers - Credentialing.

Q: Will OCCRRA send an email when credential is near expiration?

A: Yes. We have asked them to do that. But remember monitoring credential expiration dates falls on the credentialed professional - make sure to track your PDU's and other requirements.

Denial of Credential Applications

Q: Why would an application be denied?

A: Paragraph (I) talks about denial and revocation of a credential. Denial of an application is discussed in paragraph (H). A credential can be denied or revoked for EISC or EISC Supervisor if a person commits one of the crimes outlined in 5123-10-04 (I) (10 (2 a-f))

Professional Development

Q: Are any particular trainings needed to renew supervisor credential?

A: Professional Development must be related to EI and your role as an EISC/EISC Supervisor. Trainings must be preapproved as professional development 5123-10-04(B) (12). The application for training credit approval is found on the Ohio Early Intervention website (under Providers-Credentialing). Professional Development opportunities can be found on the Ohio Early Intervention website, in the DODD bi-weekly communications, and on [OCCRA's website](#).

Q: For those of us that hold education licenses through the department of Education will professional development hours count toward renewing that?

A: Please contact ODE regarding training approved outside of ODE-approved trainings.

Q: Do we continue to upload our certificates to OCCRRA or in My Learning?

A: You will still need to upload your training certificates on OCCRRA.

Q: Do DSs have to have an OCCRRA account as well?

A: No. DS are credentialed through DODD provider certification unit.

Q: Do you know the specific person to contact if our information is incorrect in OCCRA and we need to ask questions/request changes?

A: Contact credential@occrra.org. Two staff monitor that mailbox and usually respond quickly.

Q: The My learning you are speaking of, is this in OhioTrain or did I hear you say there is a new process in the DODD system?

A: We are switching over from OhioTRAIN to DODD's Learning Management System, MyLearning on 7/1/19. We will send instructions in a Program Update in May. You can also find them on the Early Intervention Website under [Providers-Early Intervention Rules 2019](#). We highly encourage you to register now.

Q: Does earlier completion of Reflective Supervision training count or do we have to complete it again?

A: You do not need to retake reflective supervision if you already have taken this training. You will need to ensure your training certificate is uploaded into your OPR account (OCCRRA)

Reflective Supervision Documentation

Q: Does the reflective supervision need to be one on one or can it be in a group setting? Does the EI team meeting count toward this requirement?

A: It can be in a group setting or individually, as long as the requirements of 5123-10-04 (B) (13) are met.

Q: Is it the responsibility of the SC or Supervisor to document the supervision?

A: It is the responsibility of the EISC Supervisor to document reflective supervision. 5123-10-04 (13) (c).

Q: Will there be a format to documenting supervision or tracking reflective supervision?

A: Yes, the EISC Supervisor is responsible to track reflective supervision. We are working on obtaining sample forms. 5123-10-04 (B) (13) (c). Once available, we will post on the EI website.

Q: Can you provide the rule concerning the supervision requirement, so I can look it up after this training?

A: 5123-10-04(B) (13)

Q: Rule only addresses to document dates and times of supervision, but you just stated that we should document the required components of reflective supervision. I'm confused!

A: Rule requires only that dates and times be recorded. 5123:10-04 (B)(13)(c) However, in order to recall conversations, it is recommended that supervisors maintain additional notes.

Supervisor Serving as EISC

Q: I am an SC Supervisor in a small county. I have also kept up the SC credential in case someone would leave, and we needed to someone to cover. I do not have the 4000 hours as a SC. If I only have the EISC Supervisor credential, would I still be able to see families if needed to cover while looking for someone?

A: Yes, you can provide EI services to families if needed. EISC Supervisors' work hours are counted as EISC work hours. An EISC Supervisor does not need an EISC Credential to serve as EISC.

Skills Inventory

Q: Where can we find the new skills inventory?

A: We have revised it and will post the new version to the website under Providers-Credentialing-Service Coordinator.

Q: If you have completed the old checklist, do you need to do the new one before you can get the 5-yr. renewal?

A: In order to receive a 5-year credential, the revised EISC Skills Inventory is required for EISCs and Supervisors of EISCs who received their first credential on or after July 1, 2019. The EISC Skills Inventory is not required for those EISCs and Supervisors of EISCs who held credentials prior to July 1, 2019. However, any EISC or Supervisor of EISCs who is not required to upload a Skills Inventory is welcome and encouraged to use one as an optional tool to monitor professional growth.

Q: Can you provide the rule for supervision documentation requirements?

A: Yes 5123-10-04 (B) (13)

Q: Do current EISC s that test out of modules still need to complete the Skills Competencies checklist?

A: No. You can only test out if you held a credential prior to rule change.

Caseload Size

Q: So, there is no differentiating between SC 1 and 2 once new rule goes into effect? Does that open a SC 1 caseload beyond the limit of 30?

A: New rule does not address EISC caseload sizes. There is no more SC 1,2, 3 when new rule goes into effect on 07/01/2019. There will be a one year and a five-year credential. 5123-10-04 (C) (1 & 2).

Education Requirements

Q: Why are we downgrading the educational requirements for the EI service coordinator?

A: Current rule required SCs to have at least an Associate degree related to working with women and children. This is mirrored in new rule.

Q: The degree requirements are aren't much different than previous rule requirement.

A: A significant change is that we now consider applicants with non-related degrees for an EISC and EISC Supervisor credential provided they have a specific number of work experience hours and paid work experience in case management or working with families with delays or disabilities. 5123-10-04 (C) (1) (b).

Preparing for New Rule Implementation

Q: Speaking of prepping for the new rules, are we good to use the forms that are being proposed with new rule as final versions to be ready to roll with on July 1?

A: Please begin using 7/1/19. We also recommend creating an account with MyLearning. You will do so through the DODD portal. If you already have a DODD portal account (like EIDS), you don't need another account. You will use the same login and password used for your other account. Instructions will be sent in a Program Update. You can also find them on the EI website under Providers- EI Rules 2019.

Other

Q: Are there requirements for contract managers in new rules?

A: New rule does not address the contract manager position.

Q: Where can I find the new forms?

A: They are currently under About – Proposed Rules. We plan to post them on the Forms page when they take effect 7/1/19.

Q: Why does it say birth to age 2 and not 3?

A: EI is from birth *through* age two. If we said until 3 it would mean we would actually serve children through age 4!

Q: So, should the SC sign as an EISC on their case notes instead of SC?

A: Yes.

Q: How do we maintain a copy if we need to give the family a copy? On all these forms, do the parents keep one and we keep one? or do we have them sign and we keep it?

A: Refer to the forms training. A blank copy may be given to the parent as it is only the PWN of which the parent must have a copy.

Q: Could you explain why there is a 10 day wait....it doesn't make sense to me.

Answer: This is a federal requirement and part of parent rights.

Q: It looks like most of these new forms will be completed at the initial visit, is that true?

Answer: Many of them will – check the [PWN and Consents Crosswalk](#).

Q: Will the forms also be in Spanish?

A: Yes.

Q: What happens if they lose the form after mailed and we do not get it back?

A: The responsibility is on the EI personnel to **provide PWN** and DOCUMENT that PWN is provided. The parent does not send the PWN form back to the SC. Obviously, the parent consent must still be obtained in writing, but this may be done at a later date.

Q: Currently POLR providers ask for policy numbers and card holders name and DOB. Is this the SC's responsibility or the POLR providers responsibility to obtain?

A: Part of the EISC's responsibility is to coordinate funding for EI services. This may include facilitating the transfer of insurance information to a provider.

Q: Do you tell the parent about the 10-day waiver over the phone when you are scheduling it?

A: You may explain PWN over the phone, but you can only obtain consent in writing, and parent waiver must also be in writing.

Q: What if you wait until the visit to have the family sign the waiver of timeline. Do you need a carbon copy, could you have them sign 2 forms and you keep one or could you take a picture? How do you keep for the file?

A: You may give the parent a blank copy of some PWN forms (EI-01, EI-02, and EI-03). Others will be completed (for example EI-10 and 11) and a copy given to the parent.

Forms

For more information, see the EI Forms training module on [MyLearning](#).

EI-01 PWN and Consent for Developmental Screening

Q: Should a PWN/consent be sent ahead of time? For example, if I speak to a parent on 7/1/19 and schedule a welcome visit on 7/5/19, should I send a PWN/Consent for Screening on 7/1/19? Should I wait for the visit? If the form is sent ahead and a waiver of timeline would not be necessary, but the parent does not sign or return until the welcome visit, is the waiver of timeline now necessary?

A: As noted in the forms training, this form may be sent ahead (mailed or emailed) or given directly to the parent. It is up to the EISC to make that decision about whether to send or give in person. That choice is documented in the SC use box in the top right of the form. Permission may not be obtained for screening or other activity WITHOUT FIRST PROVIDING PWN (which includes an explanation of the purpose of the activity). AND waiver of the 10-day requirement of the Prior written notice should only be offered when a provider is available to complete the activity prior to the 10 days elapsing.

The waiver of timeline always is relevant. Per the question, if the form were mailed on 7/1/19, the activity could not occur until 10 days have elapsed. The screening could not be administered on 7/5 UNLESS the parent wants the screening to occur before the 10 days have elapsed. In that

case, the parent would need to complete the Waiver of timeline, or the screening would need to wait until July 11th, or after.

Q: If the parent decides to have the waive the 10 days and the screening occurs, do we need to have these forms as carbon copy so we can give them a copy right there or can we email or mail it after the visit?

A: A copy must be provided to the parent prior to the activity. If a parent waives the PWN, a copy of the PWN/Consent form can be sent to the family after the visit. If the parent does not waive PWN, a copy of the PWN form should be left at that time with the parent.

Q: Would this form need used for public screening events?

A: This form is required whenever the EI system proposes to conduct a developmental screening for a child who has been referred to EI.

Q: If the referral comes in with a specific developmental concern, should we bypass the PWN of screening altogether, or wait until the SC has the first visit and determines that there is a valid concern requiring evaluation/assessment?

A: Yes. Anytime there is a developmental concern, the EI system should provide PWN and obtain consent for an evaluation.

Q: The tool is the ASQ for screening, correct?

A: Both the ASQ and the ASQ SE are required to conduct a developmental screening for children referred to EI.

Q: So, we don't ask about the waiver over the phone when we call to schedule initial visit?

A: No; PWN must FIRST be given and consent must be in writing and waiving must be in writing. None of these activities are conducted by phone.

Q: If we send PWN for screenings in the mail and schedule 10 days out from the day we call them, is that enough time to go ahead and do the screening at the first visit?

A: Technically, 11 days from the date the form sent (not from the date of the call). At the visit, you must still obtain consent for the screening in writing using the form.

Q: You are using the word "screening". Does this refer to the vision, hearing and nutrition screenings, or to the Evaluation and Assessment?

Answer: No. This refers to Developmental Screening. See definition in rule 5123-10-02. The required activities for vision, hearing and nutrition are now included in the evaluation and assessment process.

Q: So, we are doing the form 2X, partly when we mail and again when we do a face to face visit? This really isn't friendly for our 45- day timeline at all.

A: There are options on mailing or giving the form. The waiver of timeline is provided. Developmental screenings should only occur when there are no developmental concerns.

Q: What if the EISC sends the PWN/Consent on 7/1/19 for an initial visit on 7/15/19, but the parent does not sign and return. Since it is signed on 7/15/19, but was sent in a timely manner, does the waiver of timeline need to be signed?

A: In this scenario, the PWN was provided on 7/1. That requirement has been met. On 7/15/19, consent must be obtained. No waiver is needed because more than 10 days have already elapsed since PWN was provided to the family.

Q: Procedural Safeguard around parent consent for development of EI-01; who does what- when?

A: The forms answers this question, “My Service Coordinator” 5123-10-02 (N) (9)

EI-02 PWN and Consent for Child Evaluation and Assessment

Q: This question is an example of several questions we received related to the correct sequence of events. To answer these, let’s walk through an example.

A: A child is referred to your agency on July 1. You call the parent on July 2 to set up the first visit. This visit is scheduled for July 9. On July 9, you visit the parents, explain EI, and explain the evaluation process. You provide PWN for the evaluation. The earliest the evaluation could be scheduled would be July 20, unless the parent waived the 10-day PWN. If the parent waived the 10-day PWN, the evaluation could be conducted at any time, including July 9. Prior to conducting the evaluation, you would obtain consent from the parent to complete the evaluation. An example using a screening would be handled identically to the evaluation example. NOTE: A parent must give consent in WRITING per the definition of consent.

Q: DODD is saying that we need to wait 10 days before completing the activity and DODD was using the example as “sign on the 1st provide the activity on the 11th. How do we count the 10 days?

A: The day you provide the PWN is day one. Count 10 days. Conduct the activity on the 11th day or later. Note: the 10 days is for the PWN. It is not 10 days after consent is provided.

Q: If we complete HEA-8018 prior to 7/1/19, but evaluation and/or child assessment does not happen until after 7/1/19, does EI-02 need to be completed?

A: Any activity required for obtaining consent or giving PWN prior to July 1 may be done using the forms and processes in effect prior to July 1, 2019.

Q: Can any EI team member gain consent from the parent for evaluation, or just the Service Coordinator?

A: Generally, it is expected that the EISC will provide PWN and obtain consent from the parent prior to an evaluation being conducted. However, a member of the evaluation team could provide PWN and obtain consent. It remains the responsibility of the EISC to ENSURE the PWN is provided and parent consent is obtained prior to the evaluation (see 5123-10-02, (F)(3)).

Q: EI-02 would not be used if say another provider is coming in for a consultation then since that would be part of ongoing planning? Right?

A: Correct.

Q: So, are we actually doing 2 PWN's? one for screening and then if need to go on for eval do another?

Answer: Yes, if you are proposing to conduct both activities.

Q: If the team is available for evaluation/assessment prior to the 10 days, but the parent declines and wants the full 10 days (as is their right), then does that waive the 45-day timeline?

A: If the parent does not waive the 10-day requirement for PWN, the activity may not occur until the 10 days have elapsed.

Q: When do the PWN notice forms for evaluation, assessment need to be given to the family? The date they sign, prior to the event or can they be attached to the IFSP at the 45-day timeline?

A: They must be given at least ten days prior to the activity being proposed.

EI-03 Prior Written Notice and Consent for Family-Directed Assessment

Q: For both EI-02 and EI-03, do we need to complete annually?

A: These need to be completed anytime a child evaluation or assessment (EI-02) or FDA (EI-03) is conducted. As every child and family will have an annual assessment, they will be completed at least annually. It is not necessary for ongoing assessment for program planning.

Q: Does the parent signature on these forms expire? Is one form enough until the child turns three?

A: These PWN and consent forms are for very specific activities with specific timelines. So, while the consent does not technically “expire,” the consent is ONLY valid for the activity that was described by the EISC.

Q: Do we need to get a new signature every time we complete an assessment?

A: Yes, for the annual assessment. No for ongoing assessment for program planning.

Q: If a parent only wants a screening and no evaluation because there is no concern for delay or disability...does EI-03 need to be signed as I do not consent to family directed assessment, or EI-02 for evaluation?

A: If only a developmental screening is proposed, then no other forms are needed (only EI-01).

Q: Will you please confirm this would also mean any evaluation or assessment completed outside of initial or redetermination? i.e.: the SLP and parent would like to complete a CAAP-2. Do we need EI-02?

Answer: Is the assessment for ongoing assessment purposes? If so, no PWN is needed for ongoing assessment for program planning.

EI-05 Consent to Use Insurance for Early Intervention Services

Q: There are two sections. It is assumed a “yes/no/child does not have insurance” would be checked for both sections. Is it necessary for the parent to sign on both sections or can the parent not sign on the section if the box “my child does not have public/private insurance” is checked?

A: There are now two separate sections: one for private insurance and one for public insurance. Both sections need to be completed.

Q: Does this need reviewed with parent at EVERY IFSP review?

A: As stated in the forms training (on [MyLearning](#)), this form must be completed in the first 45 days (prior to the initial or during an IFSP meeting), and within 45 days of the annual IFSP.

EI-06 Consent for Release of Records and Exchange of Information

Q: Please explain the difference between pages one and two. Must both be filled out? Typically, how many ROIs might a child have? Is one ROI with multiple agencies/people sufficient if parent agrees?

A: You complete the very top of the front side of the form with the necessary demographic information. You then explain the activity using the information in the first paragraph. The front side of the form is used to release *information that is part of the EI record*. The back side of the form is used to *share information* that is not part of the EI record (e.g., to discuss the contents of an IFSP with a child’s physician). Depending on what the parent wants to share, one or both sides of the form will be completed and signed.

Q: The box on the top right corner, “Service Coordinator Use only;” when is this box completed? What is the purpose?

A: The EISC records the date the form received from other EI qualified personnel (WHEN APPLICABLE). The EISC case notes are supporting documenting about origin of form (e.g. POLR provider or primary service provider). Additional details are available in the forms training.

Q: On page 2 in the first box regarding consent for release/exchange of information orally, in writing or electronically, what are some examples of what would be filled in to answer the question of “the following information?”

A: This will vary by situation. The description and level of detail should match what is necessary to meet the need of why the parent wants to share the information.

Q: If we are only using one page (just wanting to send another provider an email update, but not the IFSP or any assessments), do we cross out the boxes on the first page or write N/A?

A: Write N/A in the parent signature section and leave the rest of the form blank.

Q: Please review again the difference between a qualified EI provider and a participating agency.

A: Participating agency is a little broader than just EI service providers and includes Central Intake and DODD.

Q: The EI-06 does not need signed in regard to transition and sharing via the quarterly LEA reports, right? We are not releasing any records with that report. Are the LEAs considered a participating agency?

A: In order to share information with the LEA in the quarterly LEA report, you must obtain parent consent using form EI-07 (top half). LEAs are not considered a participating agency, so consent must be obtained using EI-06 to share any information with an LEA.

Q: If a family is involved with HMG HV program, should we have a consent signed? Not sure if that program piece falls under an EI provider. Does it make a difference if the EI program and HV program are at the same agency?

A: Parents must provide written consent to RELEASE or share any information with the HV program personnel. This applies even when the programs are in the same agency.

Q: Does EI personnel include contracted POLR providers?

A: Absolutely.

Q: Does a separate consent need to be completed for each entity records are released to or shared with...e.g. separate for school district, physician, etc. or just one "blanket" release?

A: It depends on the parent preference. Please review the language in the explanation section of the form. Sometimes parents will not want all providers knowing to whom consent has been given.

Q: Is there a list of all providers that we do not need consent/release for?

Answer: Anyone part of the EI system (EI service provider and participating agency as defined in 5123-10-02).

Q: Would an EI-06 need to be completed in order to share a copy of the IFSP with the LEA? EI-07 does not have this listed.

A: Yes. Parent consent must be obtained using EI-06 to release records to the LEA.

Q: Is the form EI-06 HIPAA compliant? Some larger hospitals such as Akron Children's and Nationwide didn't accept our previous release of information form and required we fill out their form. Will this consent form work for them as well? Or will a separate release of information still be necessary?

A: This is an EI form only. Page one of this form is required for EI to release records to others – so you should be able to release EI records to a hospital if that is what the parent wants, and the hospital should accept them. Generally medical facilities will require use of their own form for THEM to release records to others, including to EI. So, the parents will typically need to request, via some other form, the medical facility to release their records to EI.

Q: Will you clarify whether the Early Head Start record release is sufficient to release an IFSP to Early Head Start or must the parent complete EI-06.

A: The parent must complete EI-06.

EI-07 Consents for Transition

Q: If a parent checks they do not give consent for a TPC, then the child has no transition planning? Previously, all children were required to have a TPC whether the school district was invited or not.

A: If a parent does not give consent to hold a TPC, no TPC will be held. The IFSP transition outcome is, however, required for all children and we would expect all EI providers to facilitate a smooth transition to the child's next learning environment.

Q: EI-07 is now completed closest to child's 2nd birthday instead of closest to age 18 months?

A: the top section.... yes. This is a change from current rule. See 5123-10-02, (L)(1).

Q: Can these sections be completed at different times?

A: Yes. Top portion is for discussions and sharing information- started second birthday. Bottom section is TPC inviting LEA; Two different conversations; unless child comes in within two years 3 months or 90 days prior to the third birthday this would be completed same time; Two different activities to support families around transition; 1. Informing/planning; 2. Permission to hold the TPC and if applicable invite LEA.

EI-10 Prior Written Notice of Exiting

Q: If the exit cannot occur until at least ten days prior to the PWN, then it is no longer the date a child is found to be ineligible or screened out or a parent declines services; correct? (e.g. a child is screened out 7/1/19. Exit date becomes 7/11/19. A child is found ineligible or not in need of services on 7/1/19. Exit date is 7/11/19. A parent states they no longer want services on 7/1/19. Exit date is 7/11/19.)

A: The exit may not occur until 10 days AFTER the PWN. Yes, correct. There is no longer a “determination of not in need of services.” All children determined eligible are PRESUMED to be in need of services. These examples are close to correct. But actually the 10 days start when the PWN is sent or given to the parent, not necessarily the date the child, say, is found to be ineligible as the PWN might be sent on a different date (e.g. the team might need several days to write up the report).

Q: Is this ten days from the date above, or from when the PWN is sent? For example, I am at a periodic IFSP review on 7/1/19, and the family states they no

longer want services. This is unanticipated. I cannot send the PWN of Exit until 7/3/19 due to scheduling and appointments. Is the exit date then 7/13/19 because it is ten days from when the PWN of Exit was sent?

A: You have grasped the concept. The exit date would be 7/14.

Q: Which box is selected if the child is exiting due to moving to another county in Ohio and needs to be transferred? Clearly there is no option to waive 10 days' notice for this, so is it correct to assume we will let the parent know the transfer will occur after 10 days?

A: A transfer in and of itself is not necessarily an exit from the EI system. In some cases, families will leave the EI system because of loss of contact or a desire to stop services while they move and then wish to re-engage with EI in a new county. In these cases where the family has left the EI system, PWN of exit is required. IF a family is simply changing counties and is planning a seamless transfer, PWN of exit is not required because the family is not leaving the EI system. Requirements for transfer may be found in 5123-10-02, (P) (4)

Q: Does the box “your child does not meet the eligibility requirements for EI services” apply for re-determination of eligibility as well?

A: Yes.

Q: Confirming that EI-09 and EI-10 can be sent together.

A: Correct.

Q: What happens if the family is moving to another state?

A: In this scenario, you would check “your child moved out of the state of Ohio” on form EI-10.

EI-11 Prior Written Notice of Proposed Change to IFSP

Q: Can any team member fill this out?

A: Yes, it is designed to be completed by EI personnel proposing a change of EI service.

Q: Are we required to wait ten days for new/change to services? Is there any way to offer services sooner (higher/lower frequency of visits/adding SLP and the provider has the availability to go out on the next visit)? If there is a way we can offer the change in service sooner than 10 days, please provide an example.

A: Adding, decreasing or discontinuing EI services on the IFSP (grid) requires PWN. Exception is when a one-time support from an SSP is needed to support a PSP. Services may ONLY start sooner than the 10 days required in PWN if the parent wants to waive the timeline. That decision is up to the parent and is optional.

Q: So just to clarify we need the PWN EI-11 and EI-13 for the initial IFSP?

A: Correct. You will use EI-13 PRIOR to the IFSP meeting (as a meeting notice form). You will then provide PWN using EI-11 for any services you begin, end or change.

Q: For EI-11, if the parent DOES waive 10-day wait, would the proposed date of change box still say 10 days later or reflect the earlier date the parent had agreed upon?

A: If the parent waives the 10-day PWN and the provider is available to begin services within 10 days, the projected start date on the IFSP would also match.

Q: EI-11 says "EI service provider" initiates change then PWN is needed. If parent requests to change outcome or frequency/duration does PWN have to be completed?

A: The request from the parent would trigger an IFSP review. After the team comes together for the review, if the frequency of the service is changed, PWN would be provided prior to making the change. PWN is not required to change an outcome.

Q: In the proposed date of change box on EI-11, what date do we use?

A: As noted on the form, this date cannot be “fewer than 10 days from today’s date.” Add ten days to today’s date and enter the date of the 11th day in this box.

Note: TRS requires the service to begin within 30 calendar days from the date the parent signs the IFSP whether or not the parent waives the ten-day PWN.

Q: IFSP review-if not changing services-do we still need PWN EI-11?

A: See IFSP Guidance document.

Q: I am contacting you to obtain clarification on Form EI-11. Is this form only to be used by EI providers for periodic IFSP’s where services would be added, altered, or deleted? My understanding is that it is replacing the previously used Prior Written Notice HEA 8022; if that is the case, we were only utilizing this document when the team proposed to make changes to the plan and typically it was during a periodic review. I want to make sure we have a clear understanding of when and how to use this document correctly. For instance, are we using this form for all IFSP’s including initial, periodic and annual?? If the child is determined eligible, and the family agrees to access services; we are to hand them the Form EI-11 prior to meeting in order to write the IFSP??

A: Reference the PWN Crosswalk on the EI website.

Q: What happens if they lose the form after mailed and we do not get it back?

A: The responsibility is on the EI personnel to provide PWN and DOCUMENT that PWN is provided. The parent does not send the PWN form back to the SC. Obviously, the parent consent must still be obtained in writing, but this may be done at a later date.

Q: What if you wait until the visit to have the family sign the waiver of timeline. Do you need a carbon copy, could you have them sign 2 forms and you keep one or could you take a picture? How do you keep for the file?

A: You may give the parent a blank copy of some PWN forms (EI-01, 02, and 03). Others will be completed (for example EI-10 and 11) and a copy given to the parent.

EI-13 IFSP Meeting Notice

Q: Can you clarify how this works with transition?

A: This notice is given to the family and other participants inviting them to the TPC (last box). At least one other box will also be checked, indicating whether the IFSP meeting is initial, annual or periodic review.

Q: So, we will need to send this form (EI-13) along with a PWN form for most and maybe all IFSP meetings?

A: The EI-13 meeting notice form must be sent prior to any IFSP meeting. The EI-11 PWN form will be provided at any IFSP meeting when there is a change to a service.

EI-14 Professional Referral Follow-up

Q: If the professional referring the child to EI is within the EI system, do we still need specific consent to send the referral follow-up?

A: As long as the referring entity meets the definition of “participating agency,” no consent for follow up is needed.

Q: If a parent signs consent to share information for referral follow-up, does the parent also need to complete a separate ROI form?

A: For referral follow up, NO RECORDS are released. If the parent wants records to be released, then EI-06 will be required.

EI-15 Determination of Parent Ability to Pay for Early Intervention Services

Q: Are we still completing EI 15 at initial visit?

A: This form must be completed at a minimum, prior to the initial and each annual IFSP.

Q: So EI-05 and EI-15 will both be completed with families at the initial visit? or is EI-05 only used if we get close to the 55 units of service?

A: Both public and private insurance are part of the EI system of payments. Both, where applicable, and with parent consent, must be accessed PRIOR to using POLR (Part C) funds. Therefore, this form must be completed prior to the initial and annual

IFSPs at a minimum.

Q: Is parent signature needed in both areas (private and public insurance) even if they do not have that particular insurance?

A: Yes. Check the correct box, sign and date in both sections.

Q: Currently POLR providers ask for policy numbers and card holders name and DOB. Is this the SC's responsibility or the POLR providers responsibility to obtain?

A: Part of the SC's responsibility is to coordinate funding for EI services. This may include facilitating the transfer of insurance information to a provider.

Q: One of the SC's ran into an issue, she clicked the wrong box on I believe it was the SOP form, she checked no instead of yes, and it wouldn't let her unclick that box? Is there anything that can be done differently in that situation?

A: If a single check box and clicked no, the correct box should unclick.

Other/General

Q: With all these new timelines are we having more than 45-day timeline to complete everything or still will be 45 days?

A: The timelines have not changed. The requirements for PWN and consent have not changed. The forms have changed, but we believe these provide more detailed information and have provided training on the forms in advance. The EI Consultants will continue to be available to support local EI programs during the transition.

Q: If the parent chooses NOT to waive for each individual activity, evaluation, FDA, IFSP, and we are beyond the 45-day timeline- will that be an acceptable NCR?

A: The 45-day timeline applies even if the parent does not waive PWN and exceeding the 45-day timeline in this situation is *not* an acceptable non-compliance reason. The 45- day timeline and PWN requirements have not changed from the earlier rules.

Q: Will EIDS have a tickler system to alert a SC that you are exiting prior to 10 days or a waiver is needed?

A: Not at this time.

Q: How do we maintain a copy if we need to give the family a copy? On all these forms, do the parents keep one and we keep one? or do we have them sign and we keep it?

A: Refer to the forms training. A blank copy may be given to the parent as it is only the PWN of which the parent must have a copy.

Q: Could you explain why there is a 10 day wait....it doesn't make sense to me.

Answer: This is a federal requirement and part of parent rights.

Q: It looks like most of these new forms will be completed at the initial visit, is that true?

Answer: Many of them will – check the [PWN and Consents Crosswalk](#).

Q: Will the forms also be in Spanish?

A: Yes.

Q: What happens if they lose the form after mailed and we do not get it back?

A: The responsibility is on the EI personnel to **provide PWN** and DOCUMENT that PWN is provided. The parent does not send the PWN form back to the SC. Obviously, the parent consent must still be obtained in writing, but this may be done at a later date.

Q: Currently POLR providers ask for policy numbers and card holders name and DOB. Is this the SC's responsibility or the POLR providers responsibility to obtain?

A: Part of the EISC's responsibility is to coordinate funding for EI services. This may include facilitating the transfer of insurance information to a provider.

Q: Do you tell the parent about the 10-day waiver over the phone when you are scheduling it?

A: You may explain PWN over the phone, but you can only obtain consent in writing, and parent waiver must also be in writing.

Q: What if you wait until the visit to have the family sign the waiver of timeline. Do you need a carbon copy, could you have them sign 2 forms and you keep one or could you take a picture? How do you keep for the file?

A: You may give the parent a blank copy of some PWN forms (EI-01, EI-02, and EI-03). Others will be completed (for example EI-10 and 11) and a copy given to the parent.

Identifying the Parent

When a judicial order gives legal custody to JFS, are we no longer to try to get birth parent consent?

A: If the local JFS has been awarded custody without limitation, you would **not** contact the biological parent for consent.

What if one biological parent consents but the other disagrees?

A: When a court has not been involved (e.g., custody in a divorce case), EI needs to seek the consent of one biological/adoptive parent. Both parents do not need to be in agreement.

What if biological parent tells you they will only provide consent because they feel they have to as part of their reunification plan with children's services? Is this really consent?

A: Every parent's situation is unique. As someone obtaining consent to the family, your obligation is to fully inform the parent of what he or she is consenting to and ensure that the parent has the information needed to make an informed decision.

For an adoptive parent, does the SC need to obtain a copy of paperwork showing that they've been adopted, or does the SC just go by trust of that person/parent?

A: Although every situation is unique, it is not a requirement for the adoptive parent to present paperwork documenting the adoption.

Does temporary custody meet the definition of legal custody, or are we looking for the specific wording of legal custody?

A: "Temporary custody" is "legal custody" that is temporary in nature. Thus, there is no difference as it would relate to who could sign consents in EI.

Is there a definition for "without limitation" when referring to legal custody?

What does this mean if parents have supervised visits on the legal custody form?

A: "Without limitation" simply means that the judicial order has not in some way limited the legal custody. You would need to review the specific wording of the judicial order to determine if there was a limitation.

If we have a parent that would like services for their child in foster care or with a relative, but rights are severed, how do we proceed if the foster family or relative is not wanting those services, but the parent does?

A: The person/entity with legal custody without limitation will make the decision about whether to consent to EI services.

What if bio-parent provides consent but foster parent doesn't (but bio-parent no longer has visitation even though her rights have not been severed)?

A: The person/entity with legal custody without limitation will make the decision about whether to consent to EI services. You would not contact the biological/adoptive parent for consent in these situations.

If a child lives with biological parent, however, the Grandma is the one that watches him and keeps him, and Mom wants Grandma to make the decisions because she works all the time, can Grandma sign the consents and IFSP?

A: Please contact your EI program consultant. It would be possible to allow the grandmother to sign, but we would need something in writing from the parent documenting this decision.

If someone has legal custody of a child, we do not need to seek out bio parent?

A: If a child is not living with the biological/adoptive parent and there is a custody order, you would seek consent from whoever has custody without limitation.

If the Judicial order states that an agency has custody of the child, do we still need consent from bio parent?

A: If a child is not living with the biological/adoptive parent and there is a custody order, you would seek consent from whoever has custody without limitation.

If a child is referred from JFS child services, if we have a copy of the order giving temporary custody to JFS, do we need to attempt to reach the bio parent?

A: If children services has custody without limitation, you would not need to attempt to reach the biological/adoptive parent.

If we cannot obtain the judicial order within those first 45 days, is documenting this acceptable as an NCR?

A: It may be. Documentation of multiple timely attempts will be imperative. Please reach out to your EI program consultant if you are having trouble obtaining necessary information about the judicial order.

Can you give us guidance on how to explain these changes to current biological families who initially signed our consent and are coming up on a periodic/annual IFSP? We have some bios that will no longer have the right to sign consent going forward and this may be confusing to them.

A: Each situation will be unique. Please contact your EI program consultant to discuss specific questions.

What do we do about the cases that are already in process where the biological parents have signed for consent and we have informed them that they have parental rights to determine decisions in EI?

A: Each situation will be unique. Please contact your EI program consultant to discuss specific questions.

Do we need a parent consent signed to release or share information to get a judicial order from the local court?

A: No. You do not need parent consent or a Release of Information to obtain a court order.

Can you visit the family where the child is before you get the judicial order to find out if they have a judicial order? Or is it okay to do if you aren't doing any screenings, assessment, etc. just getting information?

A: Yes, you can visit the family where the child is residing before obtaining a copy of the judicial order.

What if you know CPS has custody, foster parents were told by the caseworker that the parents do NOT maintain their rights. You have contacted the caseworker more than 2 times to find out who needs to sign for EI services, but the caseworker will not respond. How long do we wait and are we able to assign the foster parent if the caseworker does not respond? Keep in mind that we, nor the foster parents, have no idea of who the biological parents are. This is an out of county placement over 2.5 hours from the CPS agency.

A: Foster parents meet the definition of parent in this situation and could sign the consent if willing. If they are unwilling and you are having trouble contacting the caseworker, please contact your EI program consultant.

At least in my county, the initial judicial order just says temporary or emergency order of custody to ___ agency or person. It's a one-page piece of paper with

nothing else on it. It can take a long time to get a more permanent order of custody and the full court journal entry spelling out who has what rights. Does this initial paperwork still allow that person or agency to sign consents or would we try to contact the parent first?

A: A person with temporary custody without limitation can sign consents in EI for a child.

If a caregiver (kinship) or agency (CPS) was granted Temporary custody, and the kin provider and/or foster parent has a letter stating they have the right to seek education and medical care for the child, would that fall under scenario 2 or scenario 3?

A: If a person or agency has temporary custody, a letter about rights to make education or medical decisions for the child is unnecessary. Temporary custody without limitation gives that person/agency the right to make education and medical decisions for the child. (This is Scenario 2).

Just to confirm, for a child in foster care, we no longer need to attempt contacts with the bio parent for consent? Children services will determine if caseworker or foster parent will sign? We only attempt contact with bio parent for a person acting in place of parent with no legal custody document?

A: Yes, that is correct.

In the case when a biological parent or legal guardian is contacted and never got back to you after two attempts, how would you document that if the 14 days fell after the 45-day deadline?

A: The initial contact attempts to the biological/adoptive parent should have been made more than 14 days in advance of the 45-day timeline.

Just to clarify, in the case of Children's services having temporary custody, the agency could opt for the caseworker to be the one to sign for EI services?

A: Yes, the agency could opt for the caseworker to sign consents.

If we have a child that is currently being served under the previous guidelines (I have biological parent signing but there is a judicial order giving Licking County Children Services temporary custody.) Do I need to change this on annual?

A: You would make this change the next time you needed to obtain a parent's consent for some activity or inform the parent of something (e.g., prior written notice).

Do we just *look* at the judicial order, or do we need a copy of it?

A: You are not required to make a copy of the judicial order, but it would be best practice, and wisest, to keep a copy in the child's record.

If the judicial order only specifies the ability to make health decisions can the person identified sign consents for EI? (Educational decision is not specified in the order.)

A: It would depend on how the order is written. Please contact your EI program consultant.

It is often to get judicial orders in a timely manner. What steps do we take then in what timeframe?

A: If a child is not living with the biological/adoptive parent and children's services is involved, you should begin attempts to obtain the judicial order as soon as possible after the EI referral has been made.

Regarding Release of Information: if bio parent is not involved, child resides in foster care who should/can sign ROI to share information with Children's Services?

A: If children's services has legal custody without limitation, you should be in contact with children's services to determine who is authorized to sign the ROI.

Bio parents do not live together--child lives in foster care. If we attempt to contact one parent and get no response, do we then attempt to contact the other? What if bio parents give conflicting responses?

A: If a child is in foster care, the biological/adoptive parent will not have legal custody. The person/entity with legal custody should be contacted for any necessary consents.

Judicial records do not typically spell out if a parent can have access to records. Are we to assume that if the judicial order states that someone other than biological parent can sign consent that biological parent cannot view? The definition of parent then becomes whoever is identified in judicial order if the child is not residing with biological parents?

A: If a judicial order has identified a person as having legal custody without limitation, that person is the parent for EI purposes. In this example, the person with legal custody would need to sign a ROI for someone else (including the biological/adoptive parent) to access the child's records.

Can foster parents sign as the parent in Part C since they cannot in Part B?

A: Yes, foster parents can sign in Part C in Ohio. The legal provision in Part B that prohibits foster parents from signing consents does not exist in Part C.

Do parents still retain educational rights when their child is removed?

A: It depends. If the judicial order grants legal custody without limitation to a particular person, the biological parent would generally not retain educational rights.

What does "custody without limitation" mean?

A: Legal custody involves the ability to make multiple decisions for a child including health and education decisions. It is possible that a judge may modify legal custody around the ability to make decisions in one or more of these areas, so you will have to review the judicial order.

If a child is in legal custody without limitation, do we need to reach out to the biological parent to sign consents for the child?

A: No. Legal custody without limitation includes the ability to make education decisions for the child.

If a biological parent is contacted and does not respond, isn't this a "silent no" for EI?

A: Under IDEA, biological parents are presumed to be the parent for EI purposes when they attempt to act as the parent in EI. By contacting the parent via multiple methods and waiting 14 days, we are giving that biological or adoptive parent the opportunity to act as the parent before moving on to someone else who meets the definition of parent.

Does 303.27 (A)(4) apply only to grandparents or relatives?

A: No. This provision does apply to grandparents and relatives, but it also applies to any individual with whom the child lives or who is responsible for the child's welfare. Any of those persons could be considered the parent in EI.

Why is DODD looking at just the federal law?

A: The updated guidance incorporates both state and federal law. The federal law lays out multiple categories of persons who can be a parent in EI. State law around the definition of custody includes the ability to make educational decisions for the child.

If the child is in legal custody of children services, does that mean the caseworker would sign?

A: Not necessarily. You would need to contact the agency to determine who is authorized to sign consents.

When does the guidance go into effect?

A: Please begin to implement guidance immediately.

Is a copy of the judicial order required to be in the child's record?

A: It is best practice to keep a copy of the judicial order in the child's record.

If a non-biological parent claims to have legal custody but has no paperwork, how should we proceed?

A: You will need to obtain the order. This order can be obtained from the court that issued the order.

Can we still use consent from biological parents if they do not have legal custody?

A: You must review the judicial order and seek consent from the person who has legal custody without limitation.

If the Service Coordinator is unable to obtain consent from the person with legal custody, how should we proceed?

A: The person with legal custody must provide consent. You would handle this the same way you would handle obtaining consent when legal custody is not an issue.

If someone has a power of attorney, is this the same as a judicial order awarding legal custody?

A: No. Those are not the same. However, depending on the way the power of attorney is written, that person who holds it may be able to act as the parent in EI if that person meets one of the categories of parent.

IFSP Content, IFSP Meetings and Interim IFSPs 5123:10-02 (J) (K) and (M)

Timeline for New IFSP (EI-04)

Q: How will the new IFSP form be implemented – at initials, annuals and reviews, or will all current IFSPs have to be converted to the new form after 7/1/19?

A: The new IFSP form and all other forms will be used with new families on 7/1/19. For families with current IFSP's begin using the new forms when appropriate. For example, begin using the new IFSP form (EI-04) during the family's next naturally occurring annual IFSP meeting. If you began the IFSP process using the pre-July IFSP form, but did not complete the process prior to July 1, you may choose to complete the process using the old form.

(J) IFSP Meetings: Meeting Notification and PWN

Q: How far in advance must the written IFSP meeting notification (EI-13) be provided?

A: Per 5123-10-02 (J)(5), meeting arrangements shall be made with the parent and other participants early enough to ensure they will be able to attend.

Q: If we schedule a day before the meeting because the family has waited that long to schedule, is it ok to email them the notice?

A: Both the Meeting Notification and PWN can be emailed. The box "via email" should be checked in the SC use box and the process should also be documented in case notes. Keep in mind, however, that the Meeting Notification form must be sent early enough to ensure that everyone, including required participants and potential service providers, can attend.

Q: Is the IFSP meeting notification (EI-13) replacing prior written notice?

A: No. Form EI-13 is replacing HEA 8039 (Written Notification of Individualized Family Service Plan Meeting). Form EI-11 is replacing HEA 8022 (Prior Written Notice).

Q: Is PWN needed for an initial IFSP meeting? Or just at a periodic review?

A: PWN is required any time a service is added, changed, or ended, including at the initial IFSP meeting. 5123-10-01(D)(1)

Q: Why do we need PWN for the initial IFSP?

A: It is federal law.

Q: For an IFSP review, if the team is not proposing to change services-do we still need PWN EI-11?

A: PWN is required only if a proposed change to the service is occurring. If an outcome is changed, but the services themselves will be provided by the same agency at the same frequency, intensity, and duration, no PWN is required. If nothing on the grid is different except for dates, PWN is not needed.

Q: In creating the rule what was the need for the 10-day extension? Trying to figure out how it's applicable and was it to come into compliance with a federal guideline we were missing as a state?

A: Under the federal Part C regulations (34 CFR 303.421), PWN must be provided to parents a reasonable time before a provider proposes, or refuses, to initiate or change the provision of services. During the rule writing process, Ohio EI stakeholders determined that 10 days was an appropriate definition for "reasonable."

Q: If you add/change/end a service at an annual or periodic IFSP review, there is no need for a PWN, because the parent is a part of the discussion and decision making, correct?

A: No, the parent has the right to PWN any time a service is started, ended, or changed. This is a federal requirement. The PWN can be provided to the parent in person, and the parent may choose to waive the right to the 10-day prior notice. The parent's participation in the IFSP review does not eliminate the requirement for PWN.

Q: If I add PT as an additional service to a plan, do I need to give the family PWN?

A: If a service is being added, ended, or changed, the family must be given PWN. If the child is currently receiving PT and the service is just being continued as-is, PWN for the PT would not be required. If PT is not on the current IFSP, however, or if there is a change (e.g., increased frequency, new funding source, etc.), then PWN is required.

Q: Do we need to use EI-11 prior to services *beginning* on all children or just when a proposed change?

A: Starting a new service is considered a proposed change. Any time a service is added, ended, or changed, PWN is required.

Q: Could there just be a statement about prior written notice added on the IFSP form instead of having a whole other form? It just seems that if the parent is there in person and signing the IFSP, they are aware and are agreeing to the service.

A: Under federal law, parents must have a period to make a decision about whether to start or change an EI service regardless of their participation in the IFSP meeting where those changes were proposed.

Q: Can the forms be scanned and emailed?

A: If the parent has indicated that email is an option for communication, the form can be completed electronically using the fillable fields or completed by hand and scanned, and then emailed to the family. The box “via email” then needs to be checked in the SC Use section.

Q: Does EI-11 have to be completed at an IFSP meeting?

A: No, PWN can be emailed or mailed to a family. The individual providing the form needs to indicate on the form whether it was provided in person, via mail or via email. It could be provided at the meeting or emailed/mailed after. Regardless, the proposed changes/initiations could not start until 10 days has elapsed. It also must be provided at an IFSP meeting if anything new is added/changed/ended.

Q: When adding a new service such as PT, do other existing services such as speech therapy, OT etc. must provide their service within 30 days of the IFSP even if they just had a visit a few days prior to the IFSP to add the PT? For example, if an SLP is scheduled to visit 3 x in 180 days and saw the child once and the 2nd visit is scheduled in two months, is it necessary for the SLP to come again within 30 days of the IFSP or just come on the day that she had scheduled prior to the IFSP, which would fall after the 30 days of the new updated IFSP?

A: Timely Receipt of Services (TRS) requirements state that a service must start within 30 days of being added to the IFSP. The addition of a new service (in this example, PT) does not affect timelines for services already on the IFSP (e.g., speech). Those services should have started within 30 days of the date they were added to the IFSP and should then be delivered as identified on the IFSP.

Q: Is it the responsibility of service providers or service coordinators to complete the PWN for the start/change of services?

A: Form EI-11 may be completed by the EISC or another EI service provider. If the person completing the form is other than the EISC, the EI provider must send a copy to the EISC within 5 calendar days of providing notice to the parent. It is ultimately the EISC’s responsibility to monitor implementation of a family’s IFSP and inform the family of their rights and procedural safeguards, so the EISC should ensure that PWN has been provided in all required situations.

Q: If you are doing an initial IFSP, do we need to provide PWN of the “anticipated” services to meet the outcomes that are also anticipated?

A: For the initial IFSP, form EI-13 (IFSP meeting notice) is completed and sent/given to parents and other invitees in advance of the meeting 5123-10-02(J)(5). During the initial IFSP meeting, prior to the parent consent to begin services, EI-11 is completed and provided to the parent.

If services are coordinated and can be entered on the service grid at an initial IFSP, then PWN is needed for each new service. If any part of the grid cannot be completed, the service is not yet coordinated and needs to be documented in the area below the grid (“List any EI service that is needed, but not yet coordinated.”) PWN is not required until a service is coordinated.

(J) IFSP Meetings: Meeting Arrangements and Participation

Q: Can the IFSP notice be by email/text/phone call?

A: Form EI-13 (IFSP Meeting Notice) may be provided in person, by mail and/or by email. The EISC will complete the box in the top right-hand corner of the form indicating how the form was provided. By definition, Prior Written Notice **must be written**. Form EI-11 can be provided to the parent using whatever method of written communication they prefer, if it is consistent with your agency’s policies on handling personally identifiable information. The method of providing forms needs to be noted in the “SC Use Only” box.

Q: Who must be physically present at the initial and annual IFSP meeting?

A: the parent and the EISC

Q: If the parent is incarcerated, can they participate by Skype for the IFSP?

A: If the parent is incarcerated, it is likely another individual has been designated as the legal guardian in the parent’s absence and is authorized to serve as the parent. If so, the legal guardian must be physically present with the EISC for the initial and annual IFSP meetings. Others may participate via alternative methods, including the incarcerated parent (if consistent with court rulings). If the incarcerated parent still has custody of the child, the EISC needs to arrange to physically meet with the parent in a setting and at a time convenient to the parent.

Q: When the PCSA has custody, must the PCSA caseworker be physically present for the initial and annual IFSP?

A: If the PCSA caseworker is acting as the parent for EI, yes. If the PCSA has delegated the role of parent to a foster parent, the foster parent would need to be physically present. For more information on Identifying the Parent, please see the Guidance Document, [Parents and Parental Consent in Early Intervention](#) on the EI website.

Q: Can you make a comment that for individuals not in the county; consideration needs to be made for enough time.

A: The 45-Day timeline is a federal requirement. If the EISC needs to coordinate with individuals outside their county of employment, the EISC should document all attempts to schedule 45-Day components within the 45-Day period.

Q: Is the IFSP team considered Parent, Service Coordinator and the PSP or just the Parent and Service Coordinator since they're the participants that are required to be there for writing the IFSP?

A: 303.343 specifies who must be part of the team:

Each initial meeting and each annual IFSP Team meeting to evaluate the IFSP must include the following participants:

- (i) The parent or parents of the child.
- (ii) Other family members, as requested by the parent, if feasible to do so.
- (iii) An advocate or person outside of the family, if the parent requests that the person participate.
- (iv) The service coordinator designated by the public agency to be responsible for implementing the IFSP.
- (v) A person or persons directly involved in conducting the evaluations and assessments in § 303.321.
- (vi) As appropriate, persons who will be providing early intervention services under this part to the child or family.

Each periodic review must provide for the participation of persons in paragraphs (i) through (iv). If conditions warrant, provisions must be made for the participation of other representatives identified above.

Q: Does the parent have to be physically present for the IFSP or can they participate by Facetime?

A: The parent and EISC must be physically present for initial and annual IFSP meetings. Technology may be used for periodic reviews.

Q: If a caseworker is unable to attend the IFSP meeting, can they give the foster parent permission to participate in the meeting without them?

A: This depends on the local children's services agency and the child's situation. The person attending the IFSP meeting as the parent must be able provide consent and authorize EI components for the child.

Q: The question was asked if the PCSA caseworker is signing the IFSP and other paperwork, can the foster parent physically participate in their place? The answer was to have a conversation early on concerning what it means to be parent. Is it permitted? Some foster moms are not comfortable signing the paperwork and PCSA workers are overwhelmed with cases; they're not going to be able to make it to our visits. They've told us it's just not going to happen.

A: If the PCSA caseworker is acting as the parent, all requirements that apply to the parent would apply to that PCSA caseworker. [The PCSA caseworker determines whether the foster parent may participate in their place.](#) If the PCSA caseworker is unable to act as the child's parent in EI, follow the flowchart, [Identifying a Parent for Children not Residing with a Biological/Adoptive Parent.](#)

Q: Can an EISC Supervisor attend the IFSP meeting for the EISC with parent consent if the EISC is out ill, emergency, etc.? Can another EISC fill in or does it have to be a supervisor?

A: Another individual from the same agency who is credentialed as an EISC may attend an IFSP meeting as the EISC in the assigned EISC's absence.

Q: How should an IFSP signature be obtained if a parent is unexpectedly incarcerated and a family member has temporary custody when the IFSP is already established?

A: A family member with temporary custody would meet the EI definition of "parent" and would typically be authorized to provide consents in EI. The individual who meets the definition of "parent" at the time the IFSP is being signed should sign the IFSP. If the incarcerated parent is still designated as the parent per any court documents, the EISC needs to arrange for that parent to sign the IFSP. All attempts to schedule the meeting need to be documented in case notes.

Q: If the caseworker is the one who signs the documents for the child, do they have to be physically present at the initial and annual IFSP? Can the foster parent meet with the EISC and then send the IFSP to the caseworker for final signature?

A: The individual identified as the parent must be physically present for initial and annual IFSP meetings. If a CDJFS caseworker has the authority to delegate the status of parent to a foster parent, that individual may attend the IFSP meetings and should also sign the IFSP. If a foster parent does not have the authority to sign documents, they may attend the IFSP meeting as a participant, but the caseworker needs to be present as the parent.

Q: If the child is in custody of the PCSA and the entry states that the PCSA should be signing forms, is the foster parent allowed to sign if, in our county, the foster parent is through the PCSA (not a secondary agency providing foster placement services)? What circumstances would allow for foster families to sign documents for EI children? I was under the impression that the case worker is always responsible for those signatures

A: The PCSA decides who can act as parent. It does not matter whether the foster parent is assigned through the PCSA or a secondary agency.

Q: Who determines if a foster parent or PCSA caseworker signs paperwork?

A: If the PCSA has custody of the child, the PCSA decides who will be acting as parent for EI (including signing consents and other forms).

Q: Can Central Intake ask the PCSA who is the parent in EI when making the referral so SCs are not tracking down the same person for the answer?

A: If the referral source is a PCSA, the referral is received on form 8021 and is processed as a program referral, so Central Intake is unable to ask for additional information. If the referral is through another source, the individual may not know who the parent is for EI.

Q: Could DODD and the PCSA discuss our definition of parent and ask they decide that before making a CAPTA referral and ask the PCSA to disseminate that guidance to all the PCSAs?

A: DODD is reaching out to our partners at ODJFS to develop a statewide training on the PCSA form and the role and responsibilities of the parent in EI.

(J) Annual IFSP due 90 days or less from child's third birthday

Q: What if the annual IFSP is due 90 days or less to the child's third birthday-is it still expected it be completed so close to a child turning three and exiting the program?

A: The timelines for annual IFSP are established in the federal regulations. If an annual IFSP is due before the child's third birthday, a meeting needs to occur within the required timeframe, regardless of how close it is to the child's third birthday.

Q: Even if a redetermination testing is not required within 90 days of turning 3, we still need an annual IFSP, correct?

A: Yes, that is correct.

Q: Should the outcome end dates for the IFSPs referenced in the question above be extended past 180 days to include the span up to the child turning 3?

A: The timelines for annual IFSP are established in the federal regulations. If an annual IFSP is due before the child's third birthday, a meeting must occur within the required timeframe, regardless of how close it is to the child's third birthday. Annual *redetermination of eligibility* is not required within 90 days of the child's third birthday, but an annual IFSP meeting is still necessary.

Q: Can parents decline annual redetermination if it's outside but close to the 90 days?

A: An IFSP can only be written for a maximum of 180 days. The federal requirements state that a review of the IFSP be held every six months, or more frequently if conditions warrant. A periodic review must be held to update the IFSP for the period until the child's third birthday. A parent cannot refuse the re-assessment and redetermination of eligibility (if applicable).

Q: If we don't update the IFSP when it is due 90 days before they turn three; do we still provide services??? Or do we need to think ahead and write the previous IFSP for 9 months instead of 6 months?

A: An IFSP can only be written for a maximum of 180 days. The federal requirements state that a review of the IFSP be held every six months, or more frequently if conditions warrant. A periodic review needs to be held to update the IFSP for the period until the child's third birthday. Services can only be provided in accordance with an active IFSP.

Q: We understand that the annual IFSP/redetermination is not required within 90 days of the child's 3rd birthday. But if the current IFSP is over 6 months old, does a periodic review need to be completed?

A: An annual IFSP may be required within 90 days of the child's third birthday. Every IFSP must be reviewed no more than 180 days after it is signed by the parent.

Q: What do you put in the portal if you don't do the annual IFSP due to the child turning 3 within 90 days?

A: EIDS will not require the *redetermination of eligibility or assessments* if due within 90 days of the third birthday. This is how it has always worked in EIDS. However, an *IFSP annual review* is needed if due within 90 days of the child's third birthday.

(M)Interim IFSP

Q: Can you give an example of when an interim IFSP would be used? Would hospitalization be an example?

A: 5123-10-02 (M) states that an interim IFSP may be used for a child who is eligible because of a diagnosed physical or mental condition listed in appendix C and exceptional family circumstances make it impossible to complete the child assessment before needed services begin.

Examples:

- Mom who is pregnant, just found out child has Down Syndrome and wants to find a support group and learn more about Down Syndrome.
- Child diagnosed with very low birth weight and chronic lung disease who is in the NICU, and the family needs assistance accessing services needed to come home.

Identifying the Parent/Obtaining Consent

Service Coordinators should first seek the signature of the biological or adoptive parent to provide consent on behalf of a child for Early Intervention. However, there are times when a biological or adoptive parent's rights have been modified or terminated by the court. If this is the case, ask for the judicial orders or other court documents that identify a specific person or agency that has legal custody of the child. If a judicial order identifies a specific person who has legal custody of the child without limitation, then that person should be contacted to provide consent for Early Intervention services. If a judicial order identifies an agency who has legal custody of the child without limitation, then that agency should be contacted to determine the specific person the agency has assigned to make Early Intervention service decisions on behalf of the child.

- Parents and Parental Consent in Early Intervention

https://ohioearlyintervention.org/storage/ocali-ims-sites/ocali-ims-oei/documents/Guidance-Documents-Parents-and-Parental-Consent-in-EI_022019.pdf

Other

Q: If the family wants to wait 10 days, could it be a parent reason if it is outside of the 45-day timeline or IFSP due date?

A: No, PWN needs to be incorporated into the 45-Day timeline.

Q: Could a DS that is credentialed as a service coordinator be a service coordinator for children they are the PSP for while the service coordinator is out on medical/maternity leave?

A: In this circumstance, please seek guidance from your Program Consultant.

Q: How/where do we find out if our license or credential allows us to participate in meetings via technology?

A: You would need to reach out to the licensing or credentialing board/agency who issues your license and or credential.

Q: If the RBI can be done as a child assessment also, can a DS and a SC be present and count as the two disciplines for the annual child assessment?

A: Child assessments must be multi-disciplinary, so it would depend on whether the EISC holds another license or credential. The SC credential issued by DODD does not allow the SC to conduct child developmental assessments, only family-directed assessments.

Q: Do we need the release to send the child's information to another county if the family moves?

A: No.

Q: The way the new release reads, it looks like multiple agencies and/or people can be on one form. Is this correct?

A: It is.

Q: Can an initial IFSP be completed at a transition meeting?

A: Yes.

Q: Will there be a set timeline when we will receive the LOA for POLR back from DODD?

A: There is not a set timeline; however, POLR LOAs are typically issued within five business days of a complete and accurate POLR application.

Q: Can you apply for POLR prior to completing the IFSP to ensure funds would be available to pay the provider?

A: No. An IFSP is required in order to identify what services are needed. POLR is then requested to support those services. The system of payments rule makes it clear what POLR funding will be available to a family.

IFSP Form (EI-04) and Prior Written Notice of Determination of Ineligibility (EI-09)

Note: many of these questions are answered in greater detail in the IFSP guidance document. You can access it here:

<https://ohioearlyintervention.org/guidance-documents-and-memos/guidance-documents>

Questions about Technology/Using the Form

Q: Where do you want the overflow page in the IFSP (after the appropriate page, before, etc.)?

A: Locate the page wherever it makes most sense for the family.

Q: Can an example be given of when/how we would use the overflow page?

A: One example is for Section 3. If there is insufficient room in the team's summary, the team could use the overflow page. However, there should be sufficient room most of the time to avoid using the overflow pages.

Q: Where will we access the Overflow pages?

A: They are posted on the website along with the IFSP Form.

Q: Do we paste all of the information on the Overflow page? Or just the information that does not fit?

A: You will paste all information for the applicable section on the Overflow page and enter "see attached" in the applicable text box.

Q: May we convert these forms (specifically, EI-04 the IFSP) to a fillable-word doc at the local level, to get room that is needed when completing it?

A: This is fine, but the form content may not be altered in any way (no deletions or additions).

Q: Is the binder available yet? Where can we access it?

A: It is posted in the Forms section of the EI website.

Q: Are we getting a new case note page? It still has the HMG logo.

A: An updated case note page is now posted.

Q: Will there be fully completed examples of the new IFSP for us to review?

A: Yes. There are examples in the IFSP guidance document.

General IFSP Questions

Q: When doing periodic reviews and entering new updated information, does this require a clean copy?

A: You should create a new document for any updated information.

Q: Must agencies maintain the original hard copy of the IFSP or is the electronic copy sufficient?

A: An electronic or hard copy is fine.

Q: Must the service provider be present at the initial IFSP or IFSP update?

A: The service provider must participate if they will be providing services on the IFSP, but they do not need to participate in person (e.g., they could participate via technology or through a representative). 5123-10-02(J)(8).

Q: Changing frequency: This requires PWN, correct?

A: Yes, if you change frequency (either increase or decrease), PWN is required.

Q: Is participation by phone considered the same as by technology?

A: Yes.

Q: So, someone with an Early Childhood degree AND a DS certificate can go by themselves to conduct an eval?

A: Multi-disciplinary is contingent on licensure/credential, rather than educational degree. A person must hold a license or credential in more than one area, as listed in 5123-10-2 Appendix B, to conduct an evaluation by themselves.

Q: Would the date on the TPC be 90 days out from third birthday?

A: Please see the IFSP guidance document, p9.

Q: When doing an annual, do we complete a new IFSP or do we keep the current document and add to it?

A: Use a new IFSP.

Q: Will DODD translate documents other than the IFSP?

A: No. The IFSP is sent to [Shakila Dixon](#).

Q. Mom speaks English but dad does not. Do we need an interpreter?

A: No, because we have an English-speaking parent.

Q: We have a current family on the old IFSP, we need to update a consent release form to their new doctor. Do we use the old release form or the new release form? So, for families if releases need updated before the IFSP is due to be updated are we to use the old forms or use the new release forms?

A: New forms are being used as of July 1.

Q: How does a family sign if they don't read or write?

A: An illiterate parent can sign with a mark and there needs to be one witness that signs below the mark with the witness' signature and the witness' address. The witness can be the EISC and the address can be where the EISC works.

Correcting Errors

Q: After correcting errors, do we keep the incorrect page or replace with the new?

A: You should keep the page with the error in the child's file so you have full documentation.

Q: Do we change frequency in the grid by crossing out and writing in or go to a new page with same Outcome number, just different frequency?

A: You should create a new page, so families have a clean copy.

Section 1

Q: Do we put name of foster parent or kinship caregiver that the child is living with in the Parent name section, even though they are not parent?

A: Foster parents and kinship caregivers can meet the definition of "parent" in EI, so you should list whoever the current parent is for EI purposes in the parent name section of the IFSP.

Q: We have families where dad will identify child one way and mom identify the child with another ethnicity (Mexican American vs Hispanic American) both of which are in our drop down. Do we keep it general or get as specific as possible? Also, under race people will identify as Hispanic or Latinx. We've been identifying this group as "other" since what the family identifies as is not an option for us. This is an area that I think I could increase my cultural competence. I think it would be a nice community of practice kind of webinar as our community sees more Latinx people utilizing our EI and other health district services.

A: EISCs need to choose whichever federal category best matches the child. This may entail a discussion with the family, although it can also be based on the EISC's observation.

Q: Clarifying - If the child is in foster care in X school district, but the journal entry says Y district...which one do we use?

A: You will record the school district where the *child* resides (lives).

Q: Does this also apply when we know where the bio parent is from or where custody was removed from?

A: Yes.

Q: Does ODE know that we will be using the Child's School District?

A: O.R.C. 3313.64(B)(2)(a) allows a child in the custody of a governmental agency (such as Children Services or Jobs & Family Services) or a non-parent to attend the district where *the child* resides. O.R.C. 3313.64(B)(2)(c) Allows a child who requires special education *and* who does not reside in the district where the child's biological parent resides to attend the district where *the child* resides - regardless of custody.

Q: Isn't the purpose of the school district of residence of parent to indicate who we need to coordinate the TPC with?

A: The purpose of the TPC is for the LEA to determine whether or not the LEA will move forward with determining Part B eligibility, explain parent rights, The LEA will determine which school district is responsible for paying for Part B services if the child is determined eligible for Part B services.

Q: Can you identify where the new info about school district is located?

A: It will be located in the IFSP Guidance document on page 7.

Q: How do we fill out section 1 if the child is in foster care? Or if the foster parent is identified as the parent to consent for services?

A: Whoever is determined the EI parent shall be listed in section 1.

Section 2

Q: Do we need to complete section 2 and have parent signature when Service Coordinator is changing agency of employment for Early Intervention??

A: When a change needs to occur in Section 2, the change should be explained to the family, and an updated page 2 sent to all IFSP team members, including the parent. The change and follow-up are documented in EISC case notes. The EISC places the updated page on top of the current page in the file.

Q: Who do you list for supervisor if you are the supervisor?

A: If an EI service coordination supervisor also carries a caseload, he or she records the name of his/her immediate supervisor in section 2 of the IFSP.

Q: If a new EISC is assigned and PWN is sent, does a new page need completed?

A: Form EI-11, PWN is not required when a personnel change occurs, such as a new EI SC being assigned. The change should be explained to the family, and an updated page 2 sent to all IFSP team members, including the parent. The change and follow-up is documented in EI SC case notes. The EI SC places the updated page on top of the current page in the file.

Section 3A

Q: Clarifying - this first box should be checked for kiddos qualified though Evals and ICO and the second for Diagnosis on or off the list?

A: Correct! Only one or the other will be completed.

Section 3B

Q: Is this page only completed for Eligibility? I feel that 3BII, III and IV would need to be completed for all children not just children that need eligibility.

A: Section 3B is only completed when an evaluation is conducted. See pages 13-14 of the [IFSP Guidance Document](#).

Q: We are a little confused about how to complete the annual IFSP review. For an annual, the child is getting a HELP assessment, new RBI and review of outcomes. We understand they get a whole new IFSP, but do we fill out the section 3b the evaluation summary page or just the 3c and write N/A on the 3b?

A: See [IFSP Guidance Document](#)

Section 3C

Q: Family concerns, priorities and what we would like the EI team to help us most with could get repetitive. Is that acceptable and can you give examples of what should go in each box?

A: There may be overlap but using a tool that goes beyond a list of family routines will result in rich information about concerns, priorities and what the family wants help with from the team. The RBI and HELP, used with the Ecomap, are approved by the department as FDA tools. If

using a county-developed tool, you must submit it to the department for approval by Dec 2019. An example of this section of the IFSP is being prepared and will be part of our guidance.

Q: Family priorities: Is this for EI and NON EI services? or just services not provided by EI.

A: Anything learned through the FDA process and interview.

Q: Other Information: Examples please. And can this be left blank if a family states they have nothing to add here?

A: Please fill in “N/A” if there is nothing else to add here.

Q: Where would we add the important medical information for a child with a medical diagnosis who is not evaluated, only assessed?

A: This information is included in section 3D. See page 18 of the IFSP guidance document for additional details.

Section 3D

Q: What is an example of what goes in 3D?

A: Please see the IFSP Guidance Document for sample IFSPs.

Section 3E

Q: Our team has a difference of opinion on what information should be documented under child's strengths and child's needs. We would like to see a few examples of what you would like documented under child strengths.

A: An example is part of our guidance.

Q: Child's needs: Is this what the child needs to do (next steps) or what supports the child needs to reach the goals? An example and more information would be helpful for each area of COS.

A: The section captures the results of the child assessment process. The team documents what was learned about the child's functioning based on observations, interviews, record reviews and testing (formal and informal). The information addresses how the child's delay or disability affects interacting with others, participating in activities and getting their needs met. The information here “paints a picture” of how the child is using skills to participate in his or her everyday life. An example is being prepared and will be included in guidance.

Q: If the COS happens at the initial IFSP, how should the multidisciplinary team contribute to the discussion?

A: There are multiple ways – teaming, following the E and A.

Q: Is the parent still involved in COS conversation?

A: Yes. See pages 18-21 of the IFSP Guidance Document for additional information.

Q: Who does the multidisciplinary team include and who does the evaluation team include for filling out 3E and EI-09? Does this include the EISC if the EISC did not complete the Bayley or Battelle?

A: The child assessment information is recorded in section 3E. The two qualified personnel (or one individual holding two separate qualified licensure/certifications) that conducted the child assessment are responsible for recording assessment information in section 3E.

Q: Is there only one COS chosen unlike past where there were 3 that we looked at for all areas of development?

A: You must select a COS statement for all three global outcomes. There is a separate page for each global outcome.

Q: If the multidisciplinary staff or evaluator with two different disciplines is not present at the IFSP meeting how is the COS information provided to be included in the COS discussion with family and SC that they are not at?

A: The SC shares information and recommendations from evaluators during the IFSP meeting, serving as the representative for the evaluator.

Q: Why does the COS no longer specifically address mobility/getting around?

A: It does- each global outcome is listed on a separate IFSP page.

Q: When rating a child “Completely” for a COS rating, is it acceptable to put N/A in the Needs box on Section 3E?

A: This could be possible if the child is solid in one area; sometimes, the skills overlap.

Section 4

Q: For “this child outcome addresses:”, there are three options for COS statements, and two separate options (family information and transition). Must one of the COS statements be checked, or simply one of the five total statements? i.e.: if an outcome addresses transition, must it also address a COS statement?

A: You will choose EITHER child (and one of the three developmental categories) OR family. Then, for either child or family, IF the outcome is ALSO about transition, check the transition box. The transition box may also be left blank when N/A. For the three global outcomes, choose the ONE category that MOST closely aligns with the focus of the child outcome.

Q: To clarify, when we start a new annual IFSP, do we start over with outcome 1?

A: No. Outcome numbers are not reused.

Q: Would the outcome numbers continue to be numbered consecutively even when the child transfers to/from another county?

A: Yes.

Q: Family outcome: Please define when these boxes should be checked (family-based outcome vs. child-based outcome) and can both boxes be checked?

A: Choose EITHER child or family outcome. If the outcome is focused on the FAMILY as the learner, it is a family-focused outcome. If focused on the CHILD as the learner, it is a child-

focused outcome. If a transition outcome is involved, it can be checked for either a child or family outcome.

Q: What’s happening now? We would like to see support and examples of how to keep this strengths-based while showing what is truly happening in the family's lives.

A: We are preparing examples and will include them in guidance.

Q: Is the what’s happening now section directly related to the current outcome?

A: This section should briefly summarize the child’s present level of development in relation not the outcome, including a description of the child’s independence and engagement. See page 24 of Ohio’s IFSP guidance Document for additional information.

Q: Supports that we currently have available.... A few well written examples would be great for us to review and look back on.

A: We are preparing examples and will include them in guidance.

Q: Where is the grid?

A: It is on page 9 in Section 4 of the IFSP.

Q: Grid: the only thing that came up during discussion about this grid is that sometimes we may change the frequency or "how often" of an outcome. Do we change the outcome number as well?

A: Answer: When frequency is changed, do not add a new outcome. Number each outcome starting with the number one. Add a separate page for each outcome developed. The number assigned to an outcome will follow it continuously until it is completed or discontinued. Do not reuse numbers throughout a child’s journey in EI.

Q: For page 9, the grid, is that page to list all services for all outcomes, or will we print multiples of page 9, each addressing a separate outcome?

A: See pages 26-28 of [Ohio’s IFSP Guidance Document](#) for instructions on completing the service grid.

Q: For each EI service that will not be provided in our child’s natural environment.... Can we review the definition of natural environment; this includes parks and locations other than the home correct?

A: As stated in the IFSP Form training, Home means the “HOME of the parent other caregiver where the child typically resides or spends time.” Community captures other natural environments where typically developing infants and toddlers spend time. The federal definition of natural environments is “environments that are natural or typical for a same-aged infant or toddler without a disability.”

Q: Examples of a non-natural environment?

A: Outpatient therapy.

Q: On the grid, are we putting only EI services, or do we now need to put things like outpatient therapies if they are attending or planning to?

A: Only services that the team has determined to be necessary to meet IFSP outcomes shall be included on the grid.

Q: Any EI service that is needed, but not yet coordinated: Services listed here should only go on the grid after the service/provider has been identified correct?

A: Correct. Services are not placed on the grid until it can be filled out completely.

Q: If there are two outcomes with the same service, but different "how often" for each...can they go on the same line of the grid? If communication outcome needs 12 visits and feeding only needs 6 visits with the same service would they be on the same line of the grid?

A: They would be listed on separate lines of the grid.

Q: Where do you put the date of when the outcome was written?

A: The date an outcome is written can be recorded in the outcome number box. The date of the IFSP is documented in Section 1 of the IFSP – top portion.

Q: If child qualifies in 3 sections - do we need to write 3 separate outcomes?

A: Outcomes are developed based upon family priorities. There will most likely not be a one-to-one correspondence between the three global outcomes and the specific outcomes developed by the IFSP team.

Q: Is there a place for frequency and duration regarding the outcomes?

A: Yes, page 9 of the IFSP.

Q: If you can't cross things out on IFSP then how do you change the frequency - do you make a whole new page but use the same number?

A: See page 5 of Ohio's IFSP Guidance document for instructions for making changes on the IFSP document.

Q: If we put more than one location, how is that recorded in EIDS?

A: You would list the location in which the higher number of visits would occur.

Q: How do we reflect if the service is being provided within a group?

A: When services are being provided within a group, we would typically see this documented within the strategies section.

Q: Do you have to do a grid/goal for each provider?

A: No. IFSP teams develop outcomes based upon family priorities. The team then determines what service(s) are needed to meet those outcomes. An outcome may have more than one provider addressing it. See page

Q: I see two spaces for dates of review on bottom of outcome pages. What if we do more reviews than this? would we use a new outcome page and number it the same or the next number?

A: Yes, a new page would be needed. But remember, at IFSP reviews, it is expected that outcomes, strategies, and/or services change based upon ongoing assessment and progress towards outcome achievement. The outcome page is designed to document all types of revision that are made at multiple reviews.

Section 5

Q: How do we fill out the signature page when the participants are participating via technology?

A: The EISC (or authorized representative of a provider) may fill out all the participant information (name/role/agency, participation method, date) except the signature for IFSP participants not present at the IFSP meeting. A signature is not required for participants who are not present AND who will not be providing an EI service (e.g. a family member).

When IFSP meeting participants are providers *who have agreed to provide an IFSP EI service*, the IFSP will be sent to the provider for an electronic signature (or the provider may print the signature page, sign, and scan to return as quickly as possible to the EISC). As the EISC may receive multiple pages from multiple providers with signatures, the EISC will complete on the original IFSP in the signature column, “signature on file.” The EISC will maintain all signatures for the IFSP in the child’s record.

Q: I understand that for initial and annual IFSPs a face to face meeting and signature is necessary with parent, but what about for periodic reviews by phone?

A: See page 30 of the IFSP guidance document.

Q: So, to clarify, when we do an IFSP on 2/15/19 and a review on 8/14/19, we are still dating the parent signature as 2/15/19?

A: Each IFSP meeting requires a new signature page. The date the meeting was held is recorded next to each participant’s signature.

Q: Please clarify/re-state: if I review/update an IFSP with a parent via technology (not an initial or annual), on 7/10/19, then send the signature page to the parent, and they sign it on 7/15/19, and I receive it on 7/17/19, the IFSP date is 7/15/19: is that correct? What date would I sign as the EISC?

A: The date that the parent records next to his/her name is the date of the meeting. The EI SC records the same date next to their signature and records this date in the data system. In your example, yes, 7/15/19.

Q: What if it’s the LEA participating via phone? Do they need to sign too?

A: A signature is not required for participants who will not be providing a service. The EI SC may fill out the participant information (except signature).

Q: The provider signature will be after the parent has signed and so will that provider’s signature be dated potentially after the parent’s signatures?

A: The provider’s signature shall match the date of the meeting in which her or she participated.

Q: To confirm, all providers of services must participate during the IFSP somehow?

A: See OAC 5123-10-02(J) for meeting participant requirements.

Q: What date does the parent use then if during an IFSP review and it's via phone and the page is sent after the phone call?

A: See guidance document page 30.

Q: We have been doing updates with parents via phone/tech; will parents or family members be able to electronically sign?

A: See [IFSP Guidance Document](#) page 30.

Q: We have been guided before that there should not be more than one signature page...please clarify that we can have more than one page

A: See IFSP guidance document page 30-31.

Q: Do we hold the IFSP if we have difficulty getting a signature...such as those from regional providers? I don't think we should answer this- too many variables/possible scenarios.

Q: If they participate via providing written info then what date do you use?

A: The date the meeting was held/date the family signed the IFSP.

Q: If a provider is unable to participate in any way but has agreed to be the provider then what date do we put?

A: The provider must participate and sign if her or she have agreed to provide a needed service.

Q: So, there will be one page of signatures or stating signature on file and the other pages will be kept on file?

A: Correct.

Q: We complete our IFSP, including the signature page, using our laptop/Surface in the home and have the family/participants sign using the stylus. We use the Word version of the current IFSP, and this is as easy as handing the stylus to the parent/provider and having them sign in the appropriate place correct person is signing the form. We are face-to-face for this and just need them to use the stylus to sign in the appropriate space, just as if it was a piece of paper. Can you provide guidance and show us how to allow this to happen in the PDF document, so we can continue our paperless process?

A: At this time, we do not have a solution. There are no options with the signature in Adobe.

Q: So, no electronic signatures? I know doctor offices and other practices have this as an option?

A: Electronic signatures are still permitted.

Q: If a provider participates via technology, the EISC writes their name and participation method and leaves signature blank. Are you saying the provider still must sign the IFSP later if not physically present at the IFSP?

A: See pages 30-31 of the IFSP guidance document for clarification.

Q: If the provider was present in any way, do they sign and date for the day they sign the IFSP or the date of the IFSP meeting when the parent has signed the IFSP?

A: See pages 30-31 of the IFSP guidance document for clarification.

Q: "Present via technology" is no longer sufficient for EI Hearing Services that participate via technology? We will now need to sign and send back to SC?

A: See pages 30-31 of the IFSP guidance document for clarification.

Q: If a specialist (hearing or vision services) is listed as a strategy but is not the PSP or SSP, do they need to sign the signature page?

A: A service should not be listed as a strategy.

Q: Sometimes, at an initial IFSP a member of the multidisciplinary team attends the IFSP, but they will NOT be the PSP or SSP. In this case, we have the representative (multidisciplinary team member) sign the IFSP and provide a copy to the PSP. Should we have the PSP sign the IFSP? If so, is the date used the date of the IFSP or the date the service provider reviewed the IFSP? Is this when "signature on file" is used?

A: See pages 30-31 of the IFSP guidance document.

Q: What if they didn't participate in the IFSP meeting but contributed to the IFSP written?

A. See pages 30-31 of the IFSP guidance document.

Q: Is there a timeline that signatures need to be obtained by??

A: Per page 29 of the IFSP guidance document, the date of the IFSP is the date the parent signs the IFSP giving consent to implement the services – once the parent has signed the IFSP, the 10-day timeline begins.

Q: Typically, TRS starts from the day the signature is obtained. How will this work with multiple signature pages?

A: TRS starts the date of the parent signature.

Q: Are we still doing projected start date as tentative scheduled first visit of the PSP? And end date 6 months out if it is written for 180 days?

A: See page 28 of the IFSP guidance document.

Q: Do we still have to send out IFSP within 10 days?

A: Yes, see 5123-10-02(K)(10)

Q: If services are contracted can the representative from the agency holding the contract sign for all providers as providing services?

A: A representative from the provider agency who is authorized to commit the agency to provide the services listed on the IFSP can sign the IFSP.

EI-09 (PWN of Determination of Ineligibility)

Q: We just did a redetermination on a child who now does not qualify. Do we have to still have the evaluators fill out the sections of the IFSP or just do the Exit PWN that they no longer qualify?

A: ICO/Diagnosed on the List: EI-09 and EI-10 would be provided. Follow the process per rule: [5123-10-02 \(G\)](#) and [5123-10-02 \(H\)](#).

Q: EI-09: Is the TEAM filling this out or do EISCs just use the BATTELLE report to fill this out?

A: The Evaluation team completes the evaluation summary portion of form EI-09, as well as the Ideas and Suggestions box and the Community Supports and Resources box.

Q: We only need two disciplines – but there are three places for the assessment team’s information. Do we add EISC info here? I assume not...

A: We have included spaces for multiple team members. If there is only one person with two licenses or two qualified persons conducting the evaluation, use only one or two lines. The third line is for additional people if needed.

Q: I have always sent the Narrative (section 5) of the IFSP to parents of children who are ineligible, so they have a narrative write-up of the evaluation and assessments. It appears this is no longer necessary because the PWN allows for the narrative write-up. Please confirm.

A: You are correct that the PWN of ineligibility has all the required information embedded in the form.

Q: If a child does not qualify, do we put N/A thru the whole section 3?

A: See below.

Q: What do we do in case of ICO - do we fill out the EI-04 or EI-09?

A: Documentation of the use of ICO for eligibility in the absence of a qualifying score is placed in section 3B. See page 13 of the IFSP guidance document for additional information.

Q: Which part of the IFSP gets completed for ineligibility?

A: EI-09 is completed in place of the IFSP. EI-10 is also completed.

Q: On the EI-09, we’re thinking there must be a way to expand the text on page 2, Section III (personal observation of child) but we cannot figure it out. If you type more than will fit in the area provided, it cuts off when you print it. Any advice or tricks we should know?

A: See the Overflow page for additional information and label the area which is being carried over.

Q: Are EI 09 and EI 10 considered part of the IFSP?

A: No. They are separate forms.

Q: When a child is determined ineligible, do we need to complete/include any IFSP sections or just EI-09 and EI-10?

A: EI-09 and EI-10.

Q: What pages would be completed, if any of the page of EI-04 when a child is eligible but doesn't have a need for services?

A: If a child is found eligible and program planning reveals no need for services prior to the IFSP development, the evaluation/assessment process is summarized on section 3 of the IFSP. The EI service coordinator shall document the team’s decision in case notes and provide the family with Form EI-10 Prior Written Notice of Exiting (with the box, “You determined that

your family has no need for Individualized Family Service Plan (IFSP) outcomes at this time” checked) along with a copy of the EI Parent Rights brochure. The family is exited no sooner than 10 calendar days from the date on the EI-10.

Q: How long do we have to send EI-09 after the child is determined ineligible?

A: (02)(H) does not mention a timeframe.

Q: If a SC does a screen and close does the SC have to do an EI-09? If we have been using a different report format to summarize the evaluation results, etc., are we able to document “see attached report” on EI-09 (PWN of Determination of Ineligibility) (attached) or should we replace what we are producing with this form filled out as is?

A: EI-09 would not be needed because no evaluation was done in this situation. The EISC would complete EI-10, the first box on the left-hand side. If the EISC needs to attach additional materials, they may do so.

Procedural Safeguards 5123-10-01

(B) Definitions

Q: I have a question about (B) (11) – definition of a Parent. If Children Service agency has custody of the child, are they considered a guardian of the child? When it talks about person acting in place of the biological or adoptive parent with whom the child lives; is with whom the child is living with only for the person acting in place of the biological or adoptive parent or does that also mean the guardian?

A: The answer to this question depends on the situation. There are three situations relevant to determining the appropriate person to sign consents for EI. You can find more information in the Guidance Document, [Parents and Parental Consent in Early Intervention](#), on the EI website.

Q: Does a Guardian have to live with the child to be considered the Parent?

A: No, a parent does not have to live with the child to be considered the parent, whether biological or not.

(C) Parent’s consent and withdrawal of consent

Q: EI-01: Does the consent for screening (EI-01) include consent for the nutrition, vision, and hearing screenings in addition to developmental screenings?

A: Nutrition, vision and hearing are now included in the requirements for evaluation and assessment consistent with the federal regulations. This information will be covered in the training for Rule 5123-10-02. Form EI-01 as stated in the purpose statement is only applicable to the developmental screening.

Q: EI-07: Both this form and EIDS now use the language asking if the parent gives consent to a TPC. Our understanding is that EVERY child has a transition planning conference. Aren't SCs required to do transition planning for all children even if the family does not want to invite the LEA? When is an example of when a parent can opt out of transition planning?

A: The new rules are aligned with the federal requirements that the parent provide consent. The TPC is only conducted with parent consent. Please see rule 5123-10-02 which includes the requirements for the transition planning conference. This is clarified in the training for rule 5123-10-02.

(D) Prior Written Notice

Q: Rule: 5123-10-01 D2c - If PWN must be in native language, shouldn't counties be provided with PWNs in languages of families served? If family is English speaking and can read and write in English can't PWN be in English.

A: There are hundreds of possible languages, so it would not be feasible to develop every form in every language. We will continue to have some forms available in Spanish language versions, and we will translate into other languages as necessary.

If the family is English-speaking and can read and write in English, we would provide the forms in English unless the family states English is not their primary language.

Q: Rule: 5123-10-01 D2c: Prior written notice must be provided in the native language of the parent. Who is responsible for this? If a service provider is completing the PWN, is their responsibility to submit the PWN to the SC in the family's native language? Does the SC need to get it translated and what means are available for doing so?

A: This requirement has not changed. Prior written notice and native language requirements are the responsibility of all EI service providers. Typically, the EI service coordinator will be providing prior written notice.

Q: Does the Waiver of PWN need to be completed every time a change to the IFSP is proposed?

A: Every time there is a proposed change to *services* (service type, frequency, intensity, duration, funding source), PWN must be provided and the parent will have the option to waive the 10 days.

Q: If the parent chooses NOT to waive for each individual activity, evaluation, FDA, IFSP, and we are beyond the 45-day timeline- will that be an acceptable NCR?

A: The 45-day timeline applies even if the parent does not waive PWN and exceeding the 45-day timeline in this situation is not an acceptable non-compliance reason. The 45-day timeline and PWN requirements have not changed from the earlier rules.

Q: Will EIDS have a tickler system to alert a SC that you are exiting prior to 10 days or a waiver is needed?

A: Not at this time.

(E) Retention of early intervention records

Q: The 9th birthday clarification--is this the responsibility of the County Board to retain records until the 9th birthday in addition to the Service Coordinator agency. OR does this pertain mostly to the Service Coordinator's agency?

A: Per 5123-10-01(E)(1)(a), any EI provider shall retain a child's early intervention records until the child's ninth birthday. This includes both the county board when the county board is providing EI services as well as the EI service coordination agency.

Q: Considering the change in record retention (keeping records until child's 9th birthday), does this apply only to children exiting after rule implementation 7/1? Can records be destroyed, as planned, for children previously exited with parents notified records would be destroyed 6 years after last payment?

A: This applies only to children exiting after rule implementation on 7/1/19.

(F) Confidentiality of personally identifiable information in early intervention records

Q: At our Welcome visits we are getting consent from parents to share information with our core team members that are not county board employees. Is that necessary since they are part of our 'EI system'?

A: No consent to share or release is required for EI service providers, as defined in (B)(7).

Q: If a family gives consent for EI to share information with the LEA are our core team members free to discuss the child with the school district or do they need to have separate consent?

A: The consent for share/release information with/to the LEA is applicable to the EI system. For sharing/exchange of information, the consent is for the EI system to share with the LEA.

Q: EI-06: The release says permission is needed to share information with persons/agencies who are not part of the EI system. Does this mean anyone who is listed on the IFSP is part of the EI system? If your county board is not at the same agency as service coordinators, is a consent for release of records needed? What about agencies other than the county board who are still EI providers and part of the IFSP? Is a consent to share information needed to take a child's information to the team meeting?

A: Please see 5123-10-01 definitions for "early intervention program," "early intervention record," "early intervention service provider," and "participating agency." Any person, provider, agency providing services in accordance with the EI rules and procedural safeguards is part of the EI system.

Q: When the nurse with BCMH is involved with Early Intervention children do we need a separate release of information for the nurse to be involved in team meetings?

A: It depends on whether the nurse/BCMh meets the definition of a participating agency. See 5123-10-01 (B) (27).

Q: Just to clarify - we do NOT need to add the LEA on the Consent to Share, because they are part of the EI system?

A. We need to obtain parent consent to share information with the LEA on EI-07. The LEA does not meet the definition of participating agency.

Q: Please clarify; are we able to contact a referral source to attempt to obtain updated contact information or to try to locate a parent? Or do we have to contact the parent and receive consent first to contact the referral source at all? The specific example I'm thinking of would be cases referred to from Children services, where families are often difficult to contact/find.

A: You could contact the referral source if you suspect there is additional information available about the parent's location. You do not need to obtain consent from the parent to contact the referral source for additional contact information for a parent that referral source has referred.

Q: If a family chooses service providers that are outside the EI system, do they have to be listed on the IFSP so that Releases and Consents will apply to them also?

A: If outside the system, the providers would not meet the definition of participating agency so releases and consents would be required.

Q: Are the doctors that are caring for children in the EI system considered part of the EI system?

A: No. To be considered part of the EI system, they would have to be providing EI services and meet the definition of a participating agency. (5123-10-01(B) (27)

Q: Clarification needed please--Some families prefer schools not to be aware they have received EI services for fear their child would be "labeled" (per feedback from parents). In addition--school systems could be considered outside of EI services since the child cannot receive both services--and parents may not want the LEA to attend the meetings. Will the parents be made aware that their information will be shared regardless?

A. We will not share information with the LEA without parent consent, obtained on EI-07. The LEA does not meet the definition of participating agency.

Q: Rule: 5123-10-01 (F)(2)(a) This language goes along with form EI-06. Please provide clarity on who is not required to have a consent to release information and who is covered under "any participating agency in the early intervention program..."

A: Participating agency is defined in (B) (27): "Participating agency" means any individual, agency, entity, or institution that collects, maintains, or uses personally identifiable information to implement the requirements in part C with respect to a particular child. A participating agency includes the lead agency, early intervention service providers, and any individual or entity that provides any part C services (including service coordination, evaluations and assessments, and other part C services), but does not include primary referral sources or public agencies (such as the Ohio department of Medicaid) or private entities (such as private insurance companies) that act solely as funding sources for part C services.

Q: One area that is not addressed in rule, that is addressed in current rule, relates to when there is a record request via subpoena. What are the requirements? Do we need to notify the parent under these circumstances? Do we obtain any type of consent from the parent? How do we proceed if any information needs redacted?

A: You will need to look at the specific language of the subpoena regarding what the subpoena requires. Subpoenas are legal documents with which you must comply. Therefore, you would not need to notify the parents, obtain consent, or redact the documents. However, again, look at the language of the subpoena to tell you what you are required to do in each circumstance.

Q: I have some concerns about not having a release of information signed between our county board service providers and the service coordinators (who are employed by another agency). Service coordinators present new kids at team meetings prior to evaluation and plans being written. I don't understand how a release of information wouldn't be needed.

A: County Boards meet the definition of participating agency (5123-10-01 (B) (27) for EI. Therefore, consents are not required.

Q: EI-07 - it appears this consent gives permission for the child's information to go on the LEA report. Is there a timeframe in which this consent can/must be completed?

A: Yes, these requirements are addressed in rule 5123-10-02.

Q: Regarding the Referral Follow Up Form: if there was a referral from a doctor or WIC or JFS, and the family never follows through, are we still able to send that Referral Follow Up Form even though we never obtained consent from the family?

A: Yes. You would complete the top portion of EI-14 (the date, child's name, child's DOB, name of professional, agency name and professional/agency contact information) and check the box, "the parent did not consent to share information...."

Q: If a child is continuing services with a County Board beyond the 0-3 age range is consent needed to pass the information collected during that time to the County agency staff that would be working on them for County Board eligibility, etc.?

A: Yes. If a child has been exited, and EI services have ended, consent would be required.

Q: Would a consent to share information be needed to share information with a home visitor working with the family as part of Help Me Grow Home Visiting?

A: Yes. Help Me Grow Home Visiting does not meet the definition of participating agency.

Q: Is it a conflict of interest for the service coordinator to be the interpreter for the family at assessments and IFSP meetings?

A: No. The EISC would not be acting as a formal interpreter, but as an individual who can communicate with the family in their native language.

(G) Access to early intervention records

Q: Do we need to provide the record location information to all parents, initially, or when they request files?

A: Per 5123-10-01(G)(1)(d), an early intervention service provider shall provide a parent, *upon request*, a list of the types and locations of early intervention records collected, maintained, or used by the early intervention service provider.

Q: Information on the fee that may be charged for finding records is confusing. Please clarify when a fee would be charged.

A: Per 5123-10-01(G)(1)(e), we *cannot* charge a fee to search for or retrieve information or records or for electronic or paper copies of the evaluation or assessment of the child, the family-directed assessment, and the IFSP. We have the option to charge a fee for copies of records made for the parent if the fee does not effectively prevent the parent from exercising his or her right to inspect and review those records. It is up to the local agency to determine whether to charge a fee for these copies and to determine the amount of the fee.

(H) Amendments to early intervention records

Q: Please clarify what it means by" provider makes decision whether to amend."

A: This means that the provider will need to review the request and determine whether the record can be changed.

Screening, Eligibility and Assessment 5123-10-02

Q: How are we supposed to evaluate and/or assess vision and hearing? Will there be tools/resources for this? In reading the new rule it feels like the Taking a Look! and the Hearing Status Questionnaire won't be sufficient?

A: Vision and hearing falls under the physical developmental domain and is one of the five developmental domains that need to be evaluated and assessed. Evaluators and Assessors (E&A) could use one (or more) tools to evaluate and assess in order to obtain a clear picture of the child's needs around vision and hearing.

E&A must review medical records when available with parent consent to obtain information about the child's vision and hearing status. 5123-10-02(G) (1)

DODD is in the process of developing some guidance and resources around assessing hearing and vision.

Q: What are expectations for summarizing present levels of a child's health status on the IFSP? Can this just be through parent interview, or should it be more formal by requesting records from primary care and/or specialists.

A: Evaluation and Assessment teams follow procedures in 5123-10-02(G) and (I) to gather information related to health status. This information must be summarized in Section 3 of the IFSP.

Q: NAS is now a part C eligible diagnosis. Are children born affected by illegal substance on the PCSA 8021 considered an NAS diagnosis? If we receive a PCSA 8021, do we still need documentation from a medical source?

A: Children born affected by illegal substances on the PCSA 8021 are not considered an NAS diagnosis or diagnosis on the list. If the child has a diagnosis of being born affected by illegal substances, the EISC must coordinate eligibility including coordinating an evaluation or requesting the medical provider complete EI-12 affirming that the condition is or has a high likelihood of resulting in a developmental delay. (5123-10-02 (C)(1)(b), Appendix C 5123-10-02

Q: Previously, if the ASQ-3 is administered as a developmental screening, then it was also required that the ASQ-SE also be completed. It looks like this is no longer required. Can you please confirm or clarify this?

A: Sure! Rule 5123-10-02 (E)(1)(c) states “Dept approved screening tool.” The ASQ/ASQ-SE will remain the Ohio Early Intervention’s approved developmental screening tools; we plan to post a list of approved screening, evaluation, child assessment and family-directed assessment tools soon. Current administrative guidelines for this tool require the use of both screening tools.

Q: Appendix B lists who is included, but not limited to, licensures that meet the definition of qualified personnel. Since the appendix says the list is not limited to this, what are the parameters for others who may also meet this definition?

A: Qualified personnel in Ohio would need to be licensed/credentialed/certified by an Ohio licensing body or agency AND the respective licensing/credentialing/certifying body/agency identifies that the following activities are within the professional’s scope of practice: to conduct evaluations and assessments, and provide early intervention services. Appendix B is a list of qualified personnel that currently meets DODD’s definition of qualified personnel. 5123-10-02(B)(29)

Q: The rule states that if an evaluation is occurring, the child should have a multidisciplinary evaluation. Does this specifically mean that the evaluation team must have two qualified personnel participating? Do they need to be of different disciplines as before? The assessment rule also references multidisciplinary assessment. Is this the same requirement as the evaluation team?

A: Federal regulations and DODD’s rules require a multidisciplinary evaluation and child assessment. This means the evaluation and child assessment must be conducted by two different disciplines. If one person holds two different licensures/credentials (Appendix B) that one person represents more than one discipline and would meet the definition of multidisciplinary. 5123-10-02 (B)(21)(a) and Appendix B

Q: I was just referencing the appendix of those qualified to do evals/assessment. It states: Special educators including early childhood educators when licensed for ages three through eight, grades kindergarten through third, or special education. Does that mean that the early childhood educator would have to have a specific “special education/early childhood” credential? I think in the past it was just “early childhood” credential but not sure now as the way this reads.

A: It is our understanding that ODE may be making some changes to their licenses – this means any licensed teacher with a special education license, including early childhood, K-3, 3-8 or special education.

Q: Why aren’t brain abnormalities on the list?

A: “Brain abnormalities” is a general term that can describe the result of any number of diagnosed conditions such as cerebral palsy or microcephaly.

Q: If after evaluation/assessment is completed with a child, and “the IFSP team, including the family have determined there are no outcomes to address at this time” what new form(s) should be completed for our records and mailed to the family? In addition, on Form EI-10, there doesn’t seem to be an option to check for that.

A: The EISC must complete as much of EI-04 as possible with information obtained. EI-10 must be completed with the box, “You determined that your family has no need for Individualized Family Service Plan (IFSP) outcomes at this time” checked.

Q10: The tool is the ASQ for screening, correct?

A: Both the ASQ and ASQ SE are required to conduct a developmental screening for children referred to EI.

Service Coordination, Maintenance of Records and Exit

5123:10-02 (N)-(P)

(N) Service Coordination

Q: What if a child is eligible, but following the assessment for program planning (child assessment and if parent consents, FDA), the parents do not have any concerns about the child’s development and/or the family has no concerns about their capacity to support the child’s development, what forms would the SC provide to the family?

A: The EI Service Coordinator would provide the completed parts of the IFSP (on EI-04) and PWN of exiting (EI-10).

Q: Does non EI services include outpatient therapy? IF not on the IFSP or provide by SOP?

A: Non-EI services would include any services not provided by CBDD or SOP contracted provider.

Q: If a child is receiving EI services and the parent wants to pursue medical therapy services and EI services, what is the role of the EISC in this situation.

A: Parents may seek additional therapy services outside the EI program for many reasons. It is the role of the EISC to help families make informed decisions and gain access to the additional services they want for their child. Services provided outside of EI should not factor into the decision of which discipline serves as the PSP or SSP. Families may seek outside services because the family perceives that the child will only have access to one team member; the EISC can explain that using a PSP approach, the family and child have access to all team members.

Q: How does the provider document coordinating “other services?”

A: Document any conversation in case notes consistent with your licensure. The EISC must be able to verify the services that are being provided.

Q: Is it necessary to get all case notes from all EI service providers for the child’s EISC record?

A: It is not necessary to obtain all case notes from all EI service providers. At a minimum, the EISC will need to obtain case notes documenting the initial delivery of a service for TRS purposes and case notes as necessary to the EISC’s monitoring of the implementation of a family’s IFSP.

Q: Do we still need consent for EI 14 when the referral is from a medical provider or professional?

A: Yes, consent is needed to provide referral follow-up information to medical providers and other professionals who do not work for a participating agency as defined in 5123-10-02(B) (27).

Q: What do you do when the request for TRS notes from providers is not completed within the timeline?

A: Please contact your EI program consultant if you are encountering difficulties in obtaining provider case notes for TRS or monitoring the implementation of the IFSP.

Q: We are under the impression that the EISC should have the PSP's copies of case notes in the file? Is this correct?

A: No. The child file may be located in numerous locations. When the state or parent requests the record, the SC agency must provide a copy of the entire record 5123-10-02: (B)(8) within 10 business days 5123:10-02 (O)(3)

Q: What if the EISC attends the provider start date and documents the visit in their case notes. Would they still need to obtain the providers case notes as well?

A: Yes. The EISC needs to obtain case notes from the provider for any service they did not provide. For more information, see the [Verification Standards](#) document.

Q: Do EI providers know that SCs will request this? Meaning its part of the contract that they sign to be an EI provider (for example: therapy providers)?

A: It is part of the POLR provider's contract and DODD rule.

Q: Is there a provider documentation training or guidance document similar to the EISC training that providers can access?

A: Yes. The training, "High Quality Case Notes in Early Intervention" addresses requirements for EISCs and other service providers. It is available on DODD's [My Learning](#).

Q: Are SC required to have the provider case notes in the file or just that SC are connecting with the provider to make sure the TRS occurred?

A: Most local EISC agencies have methods to monitor TRS. Remember when the state requests records we will request the case note from the EI provider that verifies the first time that the family received their EI service.

Q: I think the term "case note" is maybe confusing people? We have a specific form the provider completes for TRS documentation in my county. If TRS is NOT met on time they provide their case notes documenting attempts to contact family, no shows, etc. Is this ok?

A: Please confer with your EI program consultant and check the [verification checklist](#) to make sure the documentation you are currently using meets verification standards.

Q: If the child's record can be stored in different locations, do we have to request a physical case note when the PSP is located within the same building/program?

A: That is up to your local protocol.

Q: I typically only collect provider case notes if TRS will be delivered late or never delivered. Should I have it for every TRS, delivered on time as well?

A: Yes, under most circumstances, you should collect a provider case note documenting TRS.

Q: Can Service Coordination go on the IFSP after July 1 since it is one of the 18 EI services?

A: Section 2 is where service coordination services are documented on EI-04, Ohio's IFSP form.

Q: How often is it recommended the EISC request the EI Providers documentation?

A: At a minimum, the EISC will need to obtain case notes documenting the initial delivery of a service for TRS purposes and case notes as necessary to the EISC's monitoring of the implementation of a family's IFSP.

Q: You mentioned Special Instruction, would this also include the case note from a SLP, OT, or PT that has been added to the plan? Disciplines include DODD and another agency that provide these services?

A: The EISC should obtain a case note for TRS from *any* provider on the IFSP grid that is providing an EI service.

Q: Do monthly unit tracking forms count as documentation?

A: No. While this can be helpful, we need the first note for timely receipt of services. Monitoring requires this to be compliant with this mandate. 5123-10-02 (N)(7)

Q: Will the EISC tell the family that their child's information will be shared with anyone that considered an EI provider?

A: EISCs should discuss with families who will have access to what types of information about the family.

Q: Will there be detailed cross walks and must do lists, example case notes and scenarios created with all this new information before rule becomes effective?

A: We have a documentation training on MyLearning: High Quality Case Notes in Early Intervention, and we plan to update this training soon. A forms crosswalk and PWN and Consent document have been developed, along with a revised verification checklist. These can be found on the [EI website](#).

Q: Sometimes districts surprise us and offer preschool services the next day (prior to the 3rd birthday), this option to not allow families to waive their 10 days for PWN would prevent the child from starting preschool as Part C and Part B services cannot be provided simultaneously. Have we considered this? Example- Sept 1st, and ETR/IEP meeting occurs and the district offers preschool services tomorrow. Currently, if parent chooses to have their child start preschool the next day, we agree as a team to exit child effective the day of the IEP meeting if it is the day before Part B services begin. Not allowing the family to waive their PWN in this scenario would potentially delay the start of preschool services by 10 days. It may only happen in the early fall, but this may be something to consider.

A: In this situation, follow the IFSP process. We would provide PWN of exiting and exit the child after the 10 days have elapsed. We could not continue to provide EI services because a child cannot receive Part C services and Part B services at the same time.

Q: What all should the SC provide during intake, besides consent and data collection? No more screening.

A: Initial visits should focus on what EI is, discussions of how the process looks, focusing on procedural safeguards and parent rights and informed consents. Having discussions on what participation will look like. Remember as an EISC we have mandates that we are responsible to do.

Q: When you say to advocate for services within "the process" are you referring to EI services and the EI process or are you talking about transition and advocating for the child with regard educational services for the child /family?

A: Many opportunities to support the family with advocating for their child – including the examples listed in this question. Please contact your EI program consultant for additional information.

Q: Do we still refer to HV even if we do not have it in our county?

A: Yes. (5123-10-02 (K)(6)(a))

Q: Does it say in rule how often and how long supervision should be? If it does, I can't find it!!!

A: Please reference 5123-10-04(B)13.

(O) Maintenance of Records

Q: The rule states that EI service providers must provide the EI records within 10 business days. Does this mean when SC's request TRS case notes they must be provided within 10 business days?

A: Yes. 5123:10-02 (O)(3)

Q: Is there any rule stating that the county board cannot share provider documentation with SCs unless a request has been made by the state?

A: No. CBDDs are part of the EI system (cite rule/regulation)

Q: Does the EI provider need to retain records for a certain time frame?

A: Yes, until the child's ninth birthday. 5123-10-01 (E)(1)(a)

Q: If there are two records in two locations, shouldn't they follow rule regarding record retention?

A: Any agency that holds EI records must follow DODD rules/federal regulations around EI (cite rule)

(P) Exiting and Transferring from the early intervention program

Q: Can you explain again why you would send a ten-day notice for exit?

A: Leaving the EI system (i.e., "exiting") is an activity that requires PWN except when the child is exiting because of turning three or because the child is deceased.

Q: If a child has reached their IFSP outcomes and no longer needing services when do you send the prior notice, does the service coordinator wait 10 days to exit them from the program?

A: In this example, PWN could be provided as early as the IFSP review where it was determined that the child had reached all IFSP outcomes and needed no new outcomes. Once PWN was given, the EISC would wait until 10 days have elapsed to exit the child from EI.

Q: We are confused when we are sending 10-day prior notice and then when to exit can you please research and answer in the FAQ?

A: In (P)(2), the other reasons for exiting are listed, all of which require the use of EI-10. When the child is determined ineligible, the parent must receive the evaluation results and PWN of ineligibility (EI-09) along with EI-10. In this situation, there is no option to waive the 10-day PWN. We need to ensure families have PWN.

Q: Didn't you say when the child reaches 3 that the PWN is required and the family cannot waive their 10 days?

A: No. Prior Written Notice is not required when the child is exiting due to turning 3. 5123-10-02 (P)(2)

Q: Clarification: parent will be exited if no response within 10 calendar days once letter sent, correct?

A: Yes, you may exit the child on the 11th day if you receive no response from the family during the 10-day PWN period.

Q: Is a PWN needed for exit when there is no IFSP?

A: Yes. You would check “you have not responded to our attempts to contact you.” Follow your local exit protocol. Follow your local exit protocol.

Q: Just clarifying - If we have a new referral and cannot make contact with the family to start the EI process does Form EI-10 need to be sent or not?

A: Paragraph (P) (3) includes the requirements for the EISC when the parent cannot be located. The EISC shall use form EI-10 to provide PWN that the child will be exited if the parent does not contact the EISC within ten calendar days from the date of notice.

It is important to be aware of your local exit policy as well and to document all attempts to locate and contact the parent. There are no changes here from previous rule.

Q: What if the family is referred by children's services and says that they aren't interested?

A: EI is a voluntary program. EI would exit and with parent consent send a referral follow-up form (EI-14) to the referral source (5123-10-02(P)(2)(f)). On referral follow up form, we would only be able to check “parent declined” if you’d met with the parent, explained the form and obtained parent consent.

On the referral follow-up form, we would only be able to check “parent declined” if you’d met with the parent, explained the form and obtained parent consent.

Q: What happens when you do not know that they family is moving until they are gone?

A: This sounds like a case where you have lost contact with the family. You would follow your local exit policy and provide EI-10 when proposing to exit. Ensure the agency is waiting the 10 days before exiting.

Q: Please clarify for exit: If a parent and team agree a child is age-appropriate and no longer in need of services on (for example) 8/1/19, then the EISC would provide

PWN for exit, and this child would exit on 8/11/19. Same for a parent who chooses to exit for any reason, correct? Ultimately, what is considered the exit date: the date the parent requests exit, or the date ten days later?

A: PWN must be provided before the exit. Thus, the exit would be at the least, ten days after PWN was given.

Q: Will there be a report in EIDS that will list children pending exit due to ineligibility? This is very difficult to track in a large county.

A: Unfortunately, there is no way to accurately track this in the data system. However, tracking children who are exiting due to ineligibility is not a requirement of the EI rules.

Transition 5123-10-02 (L)

Transition Planning Conference (TPC)

Q: What if the TPC occurs without another agency? We have always been advised a TPC must occur, even if the family chooses not to meet with the LEA or another agency? For example, if a family believes their child will be ineligible or does not want to meet with the LEA, and wants their child to simply be at home with them or will pay for therapy with insurance, I have always held a TPC to discuss ongoing options and how to contact the LEA or other agencies for help in the future. Is this no longer called a TPC? I assume the conversation should still happen...

A: Parents must consent to the TPC. If the parent consents to having a TPC, it must be held at least 90 days, but not more than nine months, before the child's third birthday. Regardless of whether a TPC is held, transition should still be discussed with every family and every family must have a transition plan/outcome.

Q: I know the transition outcome is completed during a regularly scheduled IFSP review which makes sense, but can you please clarify whether an IFSP review will now be required at the TPC? For most families, this meeting is heavily focused on meeting with the school district and answering questions about transition. Adding a requirement to review the IFSP takes away from the SC just being present to support the family and answer questions and will lead to poor quality IFSP reviews rushed at the end of the meeting.

A: 5123-10-02 (L)(2)(b) states that a transition planning conference is conducted during an IFSP meeting accordance with paragraphs (J)(4) to (J)(9) and K of this rule. This aligns with Federal requirements for transition.

Q: If the goal of adding an IFSP review to the TPC is that the meeting is completed at a regularly scheduled review, please note that most school districts are not

willing to meet much earlier than the 33 month due date as the TPC starts their timelines for completing evaluations, etc. Is this something that has been considered?

A: This new rule aligns with Federal requirements that the TPC occurs at an IFSP meeting.

Q: TPC's were previously a requirement for all families. It looks like it is now option under new rule. Is this correct?

A: According to 5123-10-02 (L)(2)(b), parental consent using EI-07 is required to schedule a TPC meeting. Parents may choose not to have a TPC.

Q: If all children need a transition outcome, then why wouldn't it be considered that they have a TPC?

A: According to 5123-10-02 (L)(2)(a), not fewer than ninety calendar days, but not more than nine months before a child's third birthday, the IFSP shall include at least one transition outcome.

Q: If the parent does not consent to the TPC, the SC would still create a transition outcome and review that outcome and the steps with the parent however we would not call that a Transition Conference?

A. The service coordinator would still create with the family a transition outcome at an IFSP meeting because all children according to 5123-10-02 (L)(2)(a) must have a transition outcome.

Q: Is TPC the definition just for transitioning to Part B services?

A: No, If parents' consent to TPC using form EI-07; according to 5123-10-02 (L)(2)(b), it must be conducted during an IFSP meeting in accordance with paragraphs J (4) to J(9); which states who shall be included in the meeting. A TPC ensures the opportunity for parents, EISC, and a representative from wherever the child is potentially transitioning to; to meet and discuss available services, parent rights, and any procedural safeguards. As well as what will be needed to ensure a smooth transition from Part C services.

Q: If all children need a transition outcome, then why wouldn't it be considered that they have a TPC?

A: Parents have the right to consent or not consent to having a TPC (E-07). However, federally regulations mandate that every child have a transition outcome with steps and activities.

Q: If parents do not consent for LEA to come out, we don't consider the meeting a TPC?

A: A TPC ensures the opportunity for parents, EISC, and a representative from wherever the child is potentially transitioning to (LEA, Head start, daycare etc.); to meet and discuss available services, parent rights, and any procedural safeguards. As well as what will be needed to ensure a smooth transition from Part C services. If a parent consents to a TPC meeting; According to rule 5123-10-02 J (4) through J (9), a family can choose who they want to attend their TPC meeting.

Q: What happens if a TPC is scheduled with the LEA and the family is a no show?

A: Compliance is met as long as the TPC was scheduled within the required timeline. EISC must document reason for NCR in their case notes. EISC must document attempts to reschedule with family and LEA.

Q: If you conduct the TPC without the LEA and the child appears to be eligible for Part B, do you have another meeting to include the LEA when they are available?

A: According to 5123-10-02(L)(2)(b): If a child may be eligible for preschool services under part B, and parents have signed EI-O7, the EISC shall ensure that a TPC is conducted during an IFSP in accordance with paragraphs (J)(4) to (J)(9) and (K) of this rule. The TPC shall include the LEA to discuss any services the child may receive under part B. According to 5123-10-02 (J)(5), EISC shall provide the parent and other participants the IFSP meeting notice EI-13 early enough to ensure they will be able to attend.

Q: Does the service provider still go out if the IFSP is out of date due to family waiting for the LEA to be available to participate in a TPC / IFSP update?

A: No, a service provider cannot provide services after the end date on the IFSP grid. An IFSP review MUST be done in accordance with 5123-10-02 (J) (2) to (J)(3).

Q: Child comes in at 89 days, we do evaluation and assessment and it is determined that child has a NFS. Parent wants referral to LEA. Do we write a Transition Outcome?

A: Yes, IFSP process still needs to be followed. EISC needs to coordinate the IFSP, and TPC meeting to assist the family with a smooth transition. Transition outcome support can be provided by whoever the team decides is most appropriate and can be the service coordinator.

Q: Does the biological family's school district need to be invited to the TPC? Who needs to be at this meeting? If yes, who gets invited? The bio child's district or the district where the child was removed?

A: See [Guidance document](#) page 7.

Transition Outcome

Q: Can the transition outcome be developed at the TPC?

A: According to 5123-10-02, yes, a transition outcome can be developed at a TPC meeting.

Q: At what time do you make the transition goal? At the home or at the actual TPC meeting with LEA?

A: Transition outcome can be placed on the IFSP no earlier than 9 months and no later than 90 days prior to the child's third birthday. This can occur at an IFSP meeting with the family or at the IFSP/TPC meeting.

Q: To just write a transition outcome, does this have to be done at an IFSP review?

A: Yes, according to 5123-10-02 (L)(2)(a); a transition outcome must be added at an IFSP meeting (review, annual, initial).

Q: Is the transition outcome still an additional outcome from other outcomes listed on the IFSP?

A: The Transition Outcome is now located on the same page as all other outcomes (section 4). You would need to check the box indicating that it is a transition outcome. If during a review, it is determined that an existing outcome is also an appropriate transition outcome. Review the outcome at the bottom of the page, check continue with new strategies. Outcome is written on new page with same number. Check that it is a transition outcome and add strategies of how it is going to support transition.

Q: Could you give an example of a transition outcome?

A: We want Elijah to be able to hear in the noisy preschool classroom, so that he can participate in story time.

Q: Transition outcome is written not fewer than 90 days and no sooner than 2 years 3 months? I thought this was going to be at the IFSP closest to the child's 2nd birthday. can you clarify?

A: The official conversation regarding transition begins at the IFSP closest to the child's 2nd birthday. The EISC explains what transition is and obtains informed consent to release child's name, DOB, and parent's name to the local LEA. Beginning no earlier than 9 months and no later than 90 days prior to 3rd birthday, a transition outcome with steps and activities is added to the IFSP.

Transition Forms

Q: If we are meeting with a parent without the LEA would we still have EI-07 signed? The form states that the meeting is with the district. Or do we sign that they do not give consent?

A: A family can decline to share their information with the LEA but agree to having a TPC with other community providers; in this situation parents would need to give permission to have a TPC meeting using the bottom of EI-07.

Q: EI-07: It appears this consent gives permission for the child's information to go on the LEA report. Is there a timeframe in which this consent can/must be completed?

A: Yes, these requirements are addressed in rule 5123-10-02 (L)(1)

Q: Is there still an "opt in/opt out" option for consent to share information with the LEA?

A: Yes, on top of form EI-07, allows a family to decide whether they want to share their information with the LEA.

Q: Is it required to wait until a child is made eligible to have a parent sign consent form EI-07 or can the parent sign this form prior to eligibility being determined?

A: Transition services are only available for children receiving Part C services; so therefore, Part C eligibility needs to be determined prior to the completion of EI-07.

Q: If we get a referral less than 45 days from the child’s third birthday, did you say we should have EI-08 signed?

A: Yes, EI-08 is the consent needed to refer a child to the LEA.

Early Intervention Data System

Q: Please clarify the new transition steps and activities tab in EIDS. What type of things should be entered here? Is this completed at the transition outcome or the TPC?

A: Information for the Transition Steps and Services indicator we are required to report on in our Annual Performance Report is documented on the Transition Steps and Services tab. Steps or activities taken to accomplish the transition outcome are documented on this tab, exactly as this information is documented on the IFSP form. The screenshots below show where this information was documented on the old IFSP form and where it is documented on the current IFSP form. Steps and services have always been required to be on the IFSP but were not required to be entered into EIDS until this year.

Previous IFSP:

The screenshot shows a form titled "Section VI: Our Child and Family Outcomes". It has a header with "Date:" and "Outcome #". Below the header is a section titled "What we would like to see happen within our family routines:". A large text area below that is titled "Steps or activities that will be taken to accomplish this outcome (include criteria & timeline):". This text area is highlighted with a red border. At the bottom of the form is a section titled "Early Intervention Service(s) Necessary to Meet this Outcome".

New IFSP:

Section 4: Our Child and Family Outcomes						
This section identifies a child or family outcome based on what you want to accomplish, as well as the steps to meet your outcome. The outcome is based on information the team learned from the child and family assessment(s). Each IFSP outcome must be written in words easily understandable by everyone and in a way that clearly relates to what you stated as your priorities during the family-directed assessment (if conducted).						
Outcome number	This child outcome addresses	<input type="checkbox"/> Developing positive social relationships	<input type="checkbox"/> Acquiring and using new skills and knowledge	<input type="checkbox"/> Taking action to meet own needs	Outcome addresses family participation, family well-being, or information	<input type="checkbox"/> Outcome addresses transition
Given what you've shared about your family's daily life, what would you like to see happen within your family's activities as a result of EI supports and services. How will we know when it is accomplished?						
What's happening now?						
Strategies: What steps and activities, including who and when, will help us meet the IFSP outcome?						
Supports that we currently have available to help us with this outcome (formal and natural, including services not provided by EI).						

Q: When are we to complete the EIDS screen transition steps and services?

A: Transition Steps and Services are required to be included on an IFSP at least nine months and not more than 90 days prior to the child’s third birthday. As such, the system will not allow the Transition Steps and Services page to be saved if the entered date is more than nine months prior to the child’s third birthday and will prompt for an NCR if the entered date is less than 90 days prior to the child’s third birthday. The information entered on this page should correspond to the information added to the “Strategies: What steps and activities, including who and when, will help us meet the IFSP outcome?” section for a transition outcome included on an IFSP that is at least nine months, and not more than 90 days prior to the child’s third birthday.

Q: Even if a child is 3 months old, EIDS will prompt us to input if parents gave consent to share info with the LEA. Will this change in EIDS?

A: This field will continue to have a default response of “Yes” and will remain that way unless “No” is selected. Because there is a default response to this item, there is no way to remove the selection, so it will continue to be a required field for all IFSPs.

Q: Is EIDS going to automatically say no to consent to Transition as of 7/1/19?

A: The “Did the parent consent to a Transition Planning Conference?” does not have a default value; but is required to be answered in order to save the TPC information.

ODE/DODD Partnership

Q: Will DODD staff be sharing these new requirements with ODE partners?

A: Yes, and it will also be addressed in the Part C to Part B training.

Q: What are the ODE timelines for implementing an IEP after an ETR meeting is held?

A: This question is a very frequent one. The IEP must be developed by the 3rd birthday (46+ days from referral from Part C). The “services begin” or “IEP is implemented” language is not as defined. The language in rule is below, but the language just states services begin “as soon as possible”. I would say that unless the child is transitioning to preschool services over the summer or the parent did not want to child start preschool with only a few weeks of school left at the end of the school year, that the expectation is the IEP services begin by 3 as well. We (ODE) would need to provide TA to a district if they were not in practice of this.

“If there is a suspected disability and the child is eligible for special education and related services as a preschool child, the school district shall work with the family to ensure an IEP is in place and implemented by the child’s third birthday. The dates for the initiation and duration of services shall be determined by the evaluation team or the IEP team and other qualified professionals.”

“If a child’s third birthday occurs during the summer, the child’s IEP team shall determine the date when services under the IEP will begin.”

Ohio Administrative Code 3301.51-07

(K) When IEPs must be in effect

(1) General

By the child's third birthday and at the beginning of each subsequent school year, each school district must have in effect, for each child with a disability within its jurisdiction, an IEP, as defined in paragraph (H) of this rule. The IEP shall be implemented as soon as possible following the IEP meeting.

(2) The initial IEP must be developed within whichever of the following time periods is the shortest:

(a) Within thirty calendar days of the determination that the child needs special education and related services;

(b) Within ninety calendar days of receiving parental consent for an evaluation; or

(c) Within one hundred twenty calendar days of the receipt of a request for an evaluation from a parent or school district.

(3) Initial IEPs; provision of services Each school district must ensure that:

(a) A meeting to develop an IEP for a child is conducted within thirty days of a determination that the child needs special education and related services; and

(b) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child’s IEP.

Q: What if you hold a TPC meeting and after the TPC meeting the family would like to exit from EI services, but they still want their child to be evaluated for preschool... Does this change the process for them to be evaluated by the school district? I have had a couple families recently who do not want services but would still like to see if their child qualifies for preschool.

A: The TPC is the referral date for the district, so this already begins the timeline:

- 30 days from referral to suspect and/or receive consent to evaluate

- 60 days after receiving consent to evaluate and determine eligibility
- 30 days from eligibility determination IEP in place

So, whether the family has ceased their Part C services **after** the TPC, the district has begun their required timelines from the referral date. The district is still being held to their mandates.

Other

Q: Re: (L)(1)(d) - please clarify requirement for PCSA referrals when parent is not contacted by central intake.

A: After receiving a referral, it is the EISC's responsibility to locate the parent-the person who is legally responsible for making Early Intervention decisions on behalf of the child.

Q: Since it is the EISC who is responsible for parent training, discussion, etc., in the transition outcome, is the EISC put onto the grid for the transition outcome?

A: The service coordination activities related to the transition outcome are documented in the strategies.

Q: Will Central Intake let us know locally that they have made the referral to the LEA in case the LEA calls us locally?

A: Central Intake will not notify locals when a referral is made to an LEA for a child contacting central intake within 45 days of the child's third birthday. However, this contact will be logged in EIDS.

Q: Concern that Central Intake may not get parents to sign a form to refer to LEA. these children may get lost. they do not get written consent for EI referrals.

A: Under IDEA, the EI system must obtain informed, written parent consent in order to refer a child to the LEA. If a child is referred to central intake within 45 days of the child's third birthday, central intake will offer to make the referral upon receipt of written consent and/or provide the family with contact information for the relevant LEA so the parent can make the referral.

Resources

[Credentialing](#)

[Federal Regulations](#)

[Forms](#)

[Identification of a Parent in Early Intervention Flowchart](#)

[IFSP Guidance Document](#)

[Parents and Parental Consent in Early Intervention](#)

[State Regulations](#)

[Training](#)

