



**Department of
Children & Youth**

Help Me Grow Early Intervention

OHIO EARLY INTERVENTION

Prior Written Notice and Consent

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Overview

Prior written notice and consent are key principles in early intervention to ensure families are informed and involved in decisions regarding their child's services. It is the responsibility of the Early Intervention Service coordinator (EISC) to ensure prior written notice is provided and informed written consent obtained.

Prior Written Notice

Prior written notice (PWN) is a federal requirement that must be provided to parents before the EI system engages in certain activities. These activities include developmental screenings, evaluations, determining that a child is not eligible for EI, child and family assessments, beginning, ending, or changing services on an Individualized Family Service Plan (IFSP), and, in certain circumstances, exiting a child from the EI system.

As its name suggests, Prior Written Notice **must** be provided to the parent:

- **Prior** to initiating the proposed activity, and
- **In writing** in the parent's native language utilizing the forms specified in EI rules.

This PWN is an important procedural safeguard for parents. It gives parents time to understand the proposed activity, offers them the opportunity to involve others in the decision-making process, and supports parents in providing informed consent.

Parent Consent

Under 5123-10-02(B)(3), parent consent must be provided in writing. No activities may be consented to verbally, either in-person or over the phone. The date of consent is the date written in with the parent signature on the appropriate required EI form.

Timelines for Prior Written Notice

The written notice must be provided at least 10 calendar days before implementing the proposed activity. This means that the activity may be planned/scheduled to occur on the 11th (or later) day from the date the notice is given.

Prior written notice is provided when parents receive the relevant PWN form either physically, electronically, or by mail. When PWN is provided to the parent via the mail, the date PWN is put in the mail is considered the date the PWN was provided. The EISC and, when relevant, the EI service provider should document all PWN activities in case notes.

Optional Waiver of Timeline

Most PWN forms include an optional "Waiver of Timeline," including the IFSP (EI-04). The exception is the PWN of Exit (EI-10). When a parent agrees to the waiver of the timeline, an activity can start earlier than the usual 10

days. The waiver is optional and, if a parent does not wish to waive the timeline, other timelines (e.g., the 45-Day timeline and 30-day timely receipt of services timeline) must still be adhered to.

The waiver should only be offered when (1) an EI provider is able to provide the proposed EI activity sooner than 10 days, and (2) the parent wants the activity to occur as soon as possible. In this case, the parent may date and initial the “Waiver of Timeline” box indicating that the parent is waiving the 10-day timeline, and the proposed activity can begin as early as the day the PWN was provided to the parent.