

Educating our Youngest
Population: How Counties Are
Responding to E.I. and Special
Education Pre-K Services During
COVID-19



NYSAC[®]
NEW YORK STATE
ASSOCIATION OF COUNTIES





Ryan Gregoire

Legislative Director

NYSAC



**Department
of Health**

Early Intervention Program Services and Transition

July 28, 2020

Early Intervention Program (EIP)

Early Intervention Services and Transition from Early Intervention During COVID-19

Early Intervention Program (EIP) Background

Early Intervention Program (Part C of the Individuals with Disabilities Education Act (IDEA))

EIP Guidance During COVID-19

Public Health Law

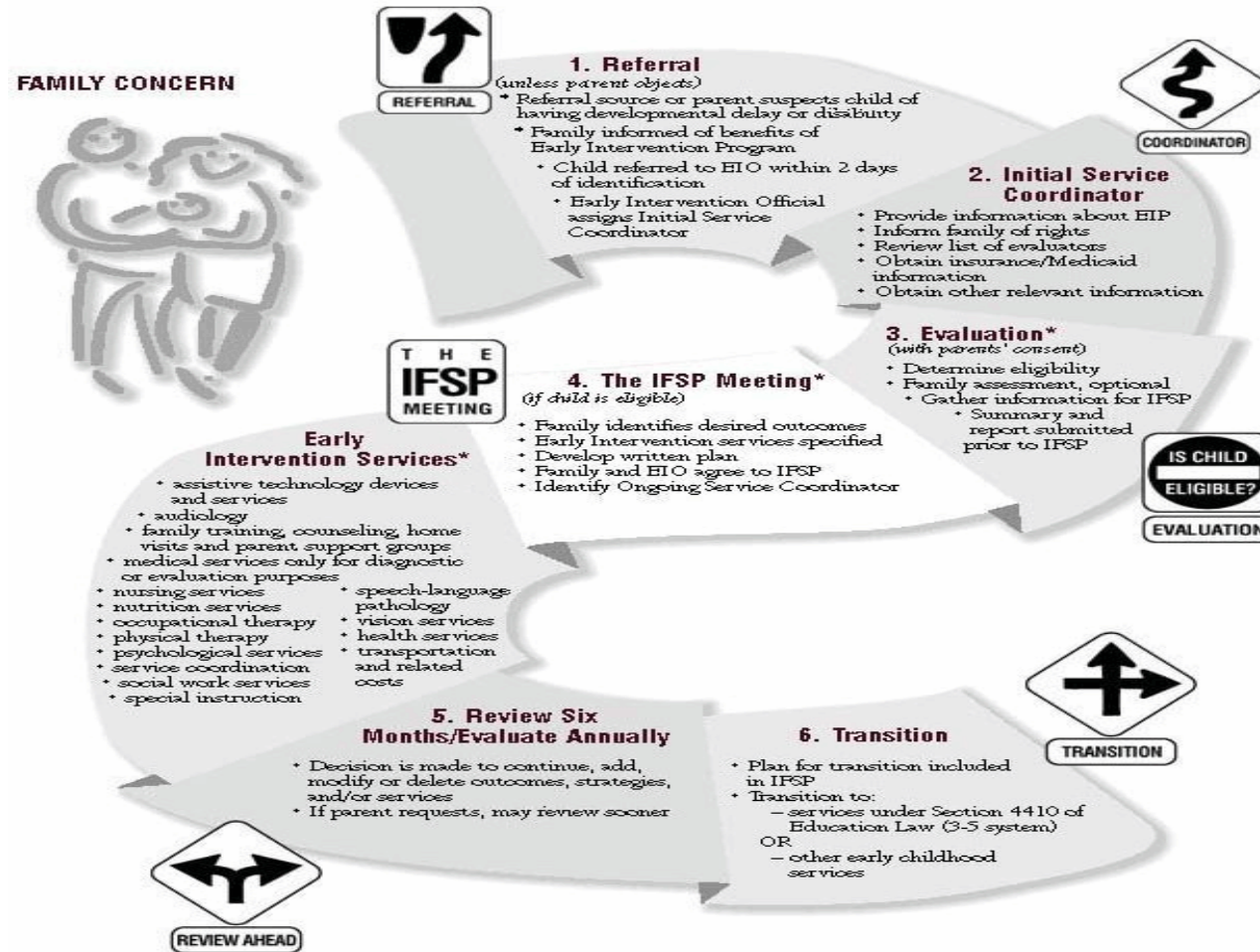
Transition Requirements

Transition to Preschool Special Education Programs and Services (Part B of IDEA)

Background – Early Intervention Program

- New York State’s Early Intervention Program (EIP) is for infants and toddlers with developmental disabilities and their families
- Part C of federal Individuals with Disabilities Education Act (IDEA)
- Title II-A of Article 25 of PHL – Implemented July 1, 1993
- Department of Health is Lead Agency responsible for administration and oversight
- All fifty-seven counties and New York City have a designated Early Intervention Official/public agency responsible for local administration

Early Intervention Program Steps



EIP Guidance During COVID-19

Background

From guidance issued in March and April 2020:

Telehealth/Virtual Early Intervention Visits Telehealth (virtual) visits are normally not reimbursable under the Early Intervention Program. However, during the declared state of emergency, reimbursement will be available for individual telehealth (virtual) early intervention services provided in accordance with the child's Individualized Family Service Plan (IFSP), and for which there is a service authorization under the following circumstances:

- The family expresses a need for, and agrees to, use of virtual early intervention visits during the time of this declared emergency.

Background

- Prior to initiating telehealth services, the family must sign a consent for service to be delivered virtually. The family must understand that virtual services pursuant to their IFSP will be in place of, and not in addition to, their IFSP mandate. Signing the consent can take place via email (if the family has consented to use of email), or via US postal service or fax.
- Providers and families have the necessary platform to conduct virtual therapy services. The service must include video and audio components for the entire duration of the authorized visit. If the technology fails and the full authorized session is not delivered, it is not billable.
- Therapy services cannot exceed the visits included in the child's IFSP.
- Virtual therapy services must be a minimum of 30 minutes in duration.
- Providers must maintain all required documentation of the therapy service and note that it was provided virtually. See additional documentation guidance below.
- Group services cannot be conducted virtually; however, the child's IFSP may be amended to reflect individual services, if appropriate.

Bureau of Early Intervention

COVID-19 EI Guidance Documents

Guidance to EI Providers Regarding Novel Coronavirus (COVID-19) – Revised 04.01.2020

https://www.health.ny.gov/community/infants_children/early_intervention/docs/doh_covid19_eiproviders_04.01.20

Consent for the Use of Telehealth During Declared State of Emergency for COVID-19 – Revised 04.01.2020

https://www.health.ny.gov/community/infants_children/early_intervention/docs/doh_cov19_beiconsent_telehealth_04.01.20.pdf

Frequently Asked Questions Related to Virtual EI Visits During COVID-19 Declared State of Emergency (Questions 1-22) – Revised 04/01/2020

https://www.health.ny.gov/community/infants_children/early_intervention/docs/doh_covid19_eifaqs_1-22_04.01.20.pdf

Frequently Asked Questions Related to Virtual EI Visits During COVID-19 Declared State of Emergency (Questions 22-37) – New 04.01.2020

https://www.health.ny.gov/community/infants_children/early_intervention/docs/doh_covid19_eifaqs_23-37_04.01.20.pdf

Current Guidance on Teletherapy Services

Frequently Asked Questions Related to Virtual EI Visits During COVID-19 Declared State of Emergency (Questions 38-57) – Revised 06.29.2020

https://www.health.ny.gov/community/infants_children/early_intervention/docs/doh_covid19_eifaqs_38-57.pdf

Reopening New York: Resuming in-Person Early Intervention Program Services

https://www.health.ny.gov/community/infants_children/early_intervention/docs/doh_covid19_reopening_eip_services.pdf

Update: Home and Community-Based Services Regarding COVID-19

https://www.health.ny.gov/community/infants_children/early_intervention/docs/doh_covid19_homecare_services_update.pdf

Teletherapy Going Forward

From April 1, 2020 guidance:

When the declared state of emergency is no longer in place, there will be no reimbursement available for virtual early intervention services until formal guidance on the delivery of early intervention services via telehealth is issued.

Planning for the Future

- The Department, in collaboration with county EI partners and NYC EI, will study data and collect information from parents/families, providers of EI services and other stakeholders about their experiences with telehealth
- The EICC voted at its June 2020 meeting to add Teletherapy to an existing Task Force on EI Provider Workforce Capacity

Transition from the EIP

EIP Exit Data: PY 2018-2019

Exit Before Age 3 – no longer eligible	2,671
Part B Eligible – Exiting Part C	9,754
Part B Eligible – Continuing in Part C	7,545
Not Eligible for Part B – Exit with referral to other programs	1,076
Not Eligible for Part B – Exit with no referral	1,273

EIP Transition: Public Health Law

- Article 25, Title II-A of PHL – section 2541(8)(a) – Definition of eligible child – means an infant or toddler from birth through age two who has a disability; provided, however, that any child who has been determined to be eligible for program services under section 4410 of education law and turns three years of age on or before August 31st shall, if requested by the parent, be able to remain in EI until September 1 of that calendar year; or who turns three on/after September 1 may continue in EI until January 2 of the following calendar year if the parent requests this. Children receiving services pursuant to section 4410 of education law are not eligible to receive EI services.

Planning for Transition from the EIP

Individualized Family Service Plan (IFSP)

- Review of Transition Process
 - Development of Transition Plan
 - Discussion of Written Notification of Potential Eligibility and Parental Opt-out
 - Discussion of Referral Process to CPSE
 - Signature and Documentation
- ❖ The EI to 4410 calculator, on the State Education Department's website, can help with planning the transition conference date: consider the child's date of birth and "first eligible" date to determine dates by which other transition activities must occur.

http://www.p12.nysed.gov/sedcar/ei_to_4410_calculator.html

Transition Plan

Early Intervention Program regulations at 10 NYCRR 69-4.11(a)(10)(xiii) discuss IFSP content related to transition and 10 NYCRR section 69-4.20 outlines requirements for transition planning.

For all children in EI, it is important to begin planning for transition as early as possible to ensure a successful transition for the child and family.

Team approach – parents, service coordinators, providers, public officials such as the early intervention official or designee (EIO or EIO/D) work together on the steps toward transition.

Transition Plan Requirements

A Transition Plan is:

- ❖ **Required** for EVERY child exiting the EIP
- ❖ **Required** to be part of the child's IFSP
- ❖ **Required** to include transition steps and services

Written Notification of Potential Eligibility

- Discuss at IFSP meeting closest to the child's 2nd birthday
- And send at least **90** days prior to the child's potential eligibility for preschool special education programs/services
- Parent afforded at least 30 calendar days to object to the written notification

Transition – Potentially Eligible for Part B

- States are required under the federal Individuals with Disabilities Act (IDEA) to have policies and procedures to ensure a smooth transition for children receiving services under Part C of IDEA (early intervention services) to Part B of IDEA (preschool special education program services), including notification procedures.
- Three steps (EI) – 1) Committee on Preschool Special Education (CPSE) is notified by the local EIP of a potentially eligible child; 2) a transition plan is in place for the child; and 3) child currently receiving EI services is referred, with parental consent, to the CPSE.

DOH and SED Guidance: COVID-19

Frequently Asked Questions Related to Virtual EI Visits During COVID-19 Declared State of Emergency (Questions 38-57) – Revised 06.29.2020:

https://www.health.ny.gov/community/infants_children/early_intervention/docs/doh_covid19_eifaqs_38-57.pdf

- See FAQ #57 - transition guidance during the declared state of emergency for COVID-19

Toolkit for Committees on Preschool Special Education to continue Child Find responsibilities during the COVID-19 outbreak:

<http://www.p12.nysed.gov/specialed/publications/2020-memos/documents/cpse-considerations-for-conducting-preschool-evaluations-during-covid-19.pdf>



March 27, 2020

TO: School District Superintendents
School Principals
BOCES District Superintendents
School District Business Officers
Charter School Leaders
Special Education Directors
Directors of Pupil Personnel Services
Chairpersons of Committees on Special Education
Chairpersons of Committees on Preschool Special Education
Administrators of Nonpublic Schools with Approved Special Education Programs
Organizations, Parents and Individuals Concerned with Special Education
Preschool Providers of Special Education Programs and Services
Superintendents, Special Act School Districts
Superintendents, State-Operated Schools
Superintendents, State-Supported Schools

FROM: Christopher Suriano, Assistant Commissioner

RE: Provision of Services to Students with Disabilities During Statewide School Closures Due to Novel Coronavirus (COVID-19) Outbreak in New York State

Purpose/Background

The NYS Education Department (NYSED) recognizes the exceptional and unprecedented challenges that students, their families, and school communities are facing right now. School districts across the State are working tirelessly to provide continuity and support to address the special needs of students with disabilities including English Language Learners with disabilities. We greatly appreciate those efforts and encourage parents, educators, and administrators to continue working together to meet the special needs of these students.

Students with disabilities must be provided a free appropriate public education (FAPE) consistent with the need to protect their health and safety, as well as the health and safety of the individuals who provide them with their education, specialized instruction, and related services. NYSED will allow school districts as much flexibility as federal and State laws and regulations allow in determining how FAPE is to be provided during the



April 27, 2020

TO: School District Superintendents
School Principals
BOCES District Superintendents
School District Business Officers
Charter School Leaders
Special Education Directors
Directors of Pupil Personnel Services
Chairpersons of Committees on Special Education
Chairpersons of Committees on Preschool Special Education
Administrators of Nonpublic Schools with Approved Special Education Programs
Organizations, Parents and Individuals Concerned with Special Education
Preschool Providers of Special Education Programs and Services
Superintendents, Special Act School Districts
Superintendents, State-Operated Schools
Superintendents, State-Supported Schools

FROM: Christopher Suriano, Office of Special Education

SUBJECT: Supplement #1 - Provision of Services to Students with Disabilities During Statewide School Closures Due to Novel Coronavirus (COVID-19) Outbreak in New York State – Additional Questions and Answers (April 27, 2020)

The New York State Education Department recognizes the unprecedented challenges school districts face in ensuring students with disabilities receive a free appropriate public education (FAPE) during this extreme health and safety crisis. As Statewide school closures continue during the Coronavirus outbreak, the Department remains committed to providing ongoing, updated guidance to parents, families, and school district staff on the provision of services to students with disabilities. This memorandum is a supplement to the March 27, 2020 guidance on the [Provision of Services to Students with Disabilities During Statewide School Closures Due to Novel Coronavirus \(COVID-19\) Outbreak in New York State](#) and [Question and Answer Document](#).

During school closures due to the Coronavirus outbreak, students with disabilities, including English language learners with disabilities, must be provided continuity of learning and, to the greatest extent possible, the special education and related services

**NEW YORK STATE EDUCATION DEPARTMENT
OFFICE OF SPECIAL EDUCATION**

**SUPPLEMENT #2 - PROVISION OF SERVICES TO STUDENTS WITH DISABILITIES
DURING STATEWIDE SCHOOL CLOSURES DUE TO
NOVEL CORONAVIRUS (COVID-19) OUTBREAK IN NEW YORK STATE**

Questions and Answers June 20, 2020

The following is a continuation and supplement to the questions and answers contained in the [March 27, 2020 guidance \(#1-21\)](#) and [April 27, 2020 guidance \(#22-38\)](#) on the provision of services to students with disabilities during the COVID-19 outbreak in New York State.

Planning for the Provision of Services for the 2020-21 School Year

Following school closures due to COVID-19, Committees on Preschool Special Education and Committees on Special Education (hereinafter referred to as Committee) will need to consider newly identified needs when determining the appropriate special programs and services to be recommended for the 2020-21 school year. Committees may consider some or all of the following questions in their decision-making process (Adapted, from LRP Publications, "Serving a student after a COVID-19-related school closure: questions the individualized education program (IEP) team should ask," March 24, 2020):

- o How long was the student's school closed?
- o Was the student provided instruction or services via an alternative method (e.g. online math instruction, online speech therapy, or instruction provided telephonically) during the closure? To what extent?
- o Were alternative methods of instruction (continuity of learning) and services provided to the student beneficial for the student? Was the student engaged and able to access the instruction and services?
- o Is there clear documentation of the amount of instruction and services the student was provided during the closure (including dates, times, and duration)? If so, what amount of instruction and services did the student receive?
- o Have there been changes in the student's educational progress and achievement, including progress toward meeting his/her IEP goals, and ability to participate in the general education curriculum? What are those changes?
- o Are there indications that the student regressed during the closure? Has the student lost any specific skills?
- o Is there a possibility that the student will require extended school year services due to regression?
- o Did school closure due to the COVID-19 pandemic result in any new needs for the student (e.g. emotional, medical, academic) such that the student should be provided with additional special education or related services or be reevaluated?

**NEW YORK STATE EDUCATION DEPARTMENT
OFFICE OF SPECIAL EDUCATION**

**SUPPLEMENT #3 - PROVISION OF SERVICES TO STUDENTS WITH DISABILITIES
DURING STATEWIDE SCHOOL CLOSURES DUE TO
NOVEL CORONAVIRUS (COVID-19) OUTBREAK IN NEW YORK STATE**

Questions and Answers June 20, 2020

The following is a continuation and supplement to the questions and answers contained in the [March 27, 2020 guidance \(#1-21\)](#), [April 27, 2020 guidance \(#22-38\)](#), and [June 20, 2020 guidance \(#39-51\)](#) on the provision of services to students with disabilities during the COVID-19 outbreak in New York State.

On June 5, 2020 the Governor issued [Executive Order 202.37](#) that included the following language, "[n]otwithstanding any prior Executive Order to the contrary, special education services and instruction required under Federal, state or local laws, rules, or regulations, may be provided in person for the summer term in school districts. Any district providing such services in person must follow State and Federal guidance." Further guidance was issued on June 9, 2020 by the New York State (NYS) Department of Health (DOH) titled [Interim Advisory for In-Person Special Education Services and Instruction During the COVID-19 Public Health Emergency](#) and [Interim Guidance for Child Care and Day Camp Programs During the COVID-19 Public Health Emergency](#).

The New York State Education Department (NYSED), has received numerous questions from the field including parents, school districts, Board of Cooperative Education Services (BOCES), and approved private programs and providers serving school-age and preschool students with disabilities. The information below represents NYSED's guidance in response to Executive Order 202.37 and the corresponding DOH documents.

12. The Executive Order (EO) 202.37 was issued for the period of June 5, 2020 to July 5, 2020 but summer programs do not begin until after July 1st. How does the EO period impact July and August special education services?

EO 202.37 is applicable to the 2020 extended school year (ESY) special education programs and services which, pursuant to NYS Education Law section 4408, are approved to operate during July and August for six weeks and funded for 30 days of service. It is anticipated that the EO will be extended to apply to the entire duration of the 2020 ESY program.

13. The EO identifies special education services and instruction provided by school districts while the DOH guidance is directed at school districts and approved private "independent schools," both school-age and preschool (e.g., 853 schools, 4201 schools, 4410 schools). What specific programs and services are authorized by the EO?

Provision of Services to Students with Disabilities During Statewide School Closures Due to Novel Coronavirus (COVID-19) Outbreak in New York State

<http://www.p12.nysed.gov/specialed/publications/2020-memos/provision-of-services-during-covid-19-pandemic.htm>



Preschool Supportive Health Service Program Guidance



Medicaid

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NYSED / Medicaid in Education / News and Announcements

News and Announcements

School Supportive Health Services Program Preschool Supportive Health Services Program

Updated [Questions & Answers](#) are as of December 9, 2016; please click on the link provided to view. To facilitate searching by keywords, the separately issued Questions & Answers have also been posted in a single document, [Combined Questions & Answers](#).

[Provider Policy and Billing Handbook](#) is issued as of March 2018. Please note this updated handbook should replace any guidebook you are currently using.

[Medicaid Alert 20-03](#) (HTML) (10 KB) (posted 07/10/20)

2017-18 Certified Public Expenditure (CPE) Claims Submitted to the Centers for Medicare and Medicaid Services (CMS)

[Medicaid Alert 20-02](#) (HTML) (11 KB) (posted 04/02/2020)

Telephonic Services for SSHSP Medicaid Providers During the COVID-19 State of Emergency

[Medicaid Alert 20-02 Addendum](#) (HTML) (41 KB) (posted 06/05/2020)

Frequently Asked Questions on SSHSP Services During the COVID-19 State of Emergency

http://www.oms.nysed.gov/medicaid/news_announcements/home.html

Preschool Special Education NYSED School Reopening Plans

<http://www.p12.nysed.gov/specialed/publications/2020-memos/documents/school-reopening-plans-for-approved-private-programs-serving-students-with-disabilities.pdf>



Reopening Schools Guidance



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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July 27, 2020

TO: Administrators of Nonpublic Schools with Approved Special Education Programs
Administrators of the State-Supported Schools
Superintendents of the New York State-Operated Schools
Administrators of Approved Private Preschool Special Class Programs and Special Class in an Integrated Setting Programs

FROM: Christopher Suriano, Assistant Commissioner

RE: Submission of School Reopening Plans for Approved Private Programs Serving Students with Disabilities

Nonpublic schools with an approved special education program (853 Schools), State-Supported Schools (4201 Schools), State-Operated Schools, and approved private preschool special class and special class in an integrated setting programs must submit School Reopening Plans.¹ If a school is located on multiple sites, Reopening Plans may be individual plans that are specific to each school site, or a comprehensive plan that includes and specifically addresses all school sites. Reopening Plans must include the school sites each provider Agency is approved to operate as of the date of the plan's submission. If a new site is approved during the 2020-21 school year, the Reopening Plan must be amended to include the new site.

Reopening Plans must ensure that all requirements outlined in the [guidance released by NYS Department of Health \(DOH\) on July 13, 2020](#) are included. On or before **July 31, 2020**, 853 Schools, 4201 Schools, State-Operated Schools, and approved private preschool special class and special class in an integrated setting programs must complete and submit their reopening plan to DOH in the portal described in the [guidance released by DOH on July 13, 2020](#).

On or before **August 7, 2020**, 853 Schools, 4201 Schools, State-Operated Schools, and approved private preschool special class and special class in an integrated setting programs must submit Reopening Plans **to the SED portal**. As part of its submission in

¹ Please note that itinerant preschool special education programs and services (including special education itinerant services, preschool related services, and preschool multidisciplinary evaluations) are not required to submit individual Reopening Plans.



INTERIM GUIDANCE FOR CHILD CARE AND DAY CAMP PROGRAMS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

When you have read this document, you can affirm at the bottom.

As of June 26, 2020

Purpose

This Interim Guidance for Child Care and Day Camp Programs during the COVID-19 Public Health Emergency ("Interim COVID-19 Guidance for Child Care and Day Camp Programs") was created to provide owners/operators of child care and day camp programs and their employees, parents/guardians and visitors with precautions to help protect against the spread of COVID-19.

This guidance applies only to day child care and camp programs. It does not include overnight child care and camp programs, which are not authorized to operate at this time.

These guidelines are minimum requirements only and any employer is free to provide additional precautions or increased restrictions. These guidelines are based on the best-known public health practices at the time of publication, and the documentation upon which these guidelines are based can and does change frequently. The Responsible Parties – as defined below – are accountable for adhering to all local, state and federal requirements relative to child care and day camp programs and activities. The Responsible Parties are also accountable for staying current with any updates to these requirements, as well as incorporating same into any activities and/or Site Safety Plan.

Background

On March 7, 2020, Governor Andrew M. Cuomo issued Executive Order 202, declaring a state of emergency in response to COVID-19. Community transmission of COVID-19 has occurred throughout New York. To minimize further spread, social distancing of at least six feet must be maintained between individuals, where possible.

On March 20, 2020, Governor Cuomo issued Executive Order 202.6, directing all non-essential businesses to close in-office personnel functions. Essential businesses, as defined by Empire State Development Corporation (ESD) guidance, were not subject to the in-person restriction, but were, however, directed to comply with the guidance and directives for maintaining a clean and safe work environment issued by the New York State Department of Health (DOH), and were strongly urged to maintain social distancing measures. ESD designated child care as an essential service.

On April 12, 2020, Governor Cuomo issued Executive Order 202.16, directing essential businesses to provide employees, who are present in the workplace, with a face covering, at no-cost, that must be used when in direct contact with customers or members of the public during the course of their work. On April 15, 2020, Governor Cuomo issued Executive Order 202.17, directing that any individual who is over age two and able to medically tolerate a face-covering must cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance. On April 16, 2020, Governor Cuomo issued Executive Order 202.18, directing that everyone using public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a face covering, must wear a mask or face covering over the nose and



INTERIM GUIDANCE FOR IN-PERSON INSTRUCTION AT PRE-K TO GRADE 12 SCHOOLS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

When you have read this document, you can affirm at the bottom.

As of July 13, 2020

Purpose

This Interim Guidance for In-Person Instruction at Pre-K to Grade 12 Schools during the COVID-19 Public Health Emergency ("Interim COVID-19 Guidance for Schools") was created to provide all elementary (including pre-kindergarten), middle, and high schools, as well as their employees, contractors, students, and parents/legal guardians of students with precautions to help protect against the spread of COVID-19 for schools that are authorized to provide in-person instruction in the 2020-2021 school year.

This guidance is intended to address all types of public and private (both secular and non-secular) elementary (including pre-kindergarten), middle, and high schools. In addition to affirming to understand and meet the requirements described herein, school districts, boards of cooperative educational services (BOCES), charter schools, and private schools must develop individual plans for reopening and operating during the COVID-19 public health emergency. Each plan must meet the minimum standards set forth in this guidance and reflect engagement with school stakeholders and community members, including but not limited to administrators, faculty, staff, students, parents/legal guardians of students, local health departments, local health care providers, and, where appropriate, affiliated organizations (e.g., union, alumni, and/or community-based groups). Specifically, each school district, BOCES, charter school, and private school must develop and submit to the New York State Department of Health (DOH) and the New York State Education Department (NYSED), or the State University of New York (SUNY) for charter schools authorized by SUNY, a plan that, at minimum, covers:

- (1) Reopening of school facilities for in-person instruction,
- (2) Monitoring of health conditions,
- (3) Containment of potential transmission of the 2019 novel coronavirus (COVID-19), and
- (4) Closure of school facilities and in-person instruction, if necessitated by widespread virus transmission.

Core Health and Safety Principles and Definitions

- **Responsible Parties:** Responsible Parties shall be responsible for developing the plan, affirming to having read and adhere to this guidance, and meeting the standards set forth herein. For school districts and BOCES, the district superintendent, or another party as may be designated by the district superintendent, and for private and charter schools, the head of school, or another party as may be designated by the head of school, is the Responsible Parties. The designated party can be an individual or group of individuals responsible for the operations of the school or schools.
- **Face Coverings:** Responsible Parties must maintain protocols and procedures for students, faculty, staff, and other individuals to ensure appropriate personal protective equipment (PPE) is used to protect against the transmission of the COVID-19 virus when on school grounds and in school facilities. Specifically, appropriate PPE means, at least, an acceptable face covering, which is strongly

WEAR A MASK.

GET TESTED.

SAVE LIVES.

Preschool Special Class and Special Class in an Integrated Setting Programs must follow the DOH Guidance applicable to Pre-K and, if the licensed by NYS OCFS or NYC DOHMH, the DOH Child Care Guidance (the stricter standard applies to the extent there is a conflict)

CPSE Considerations for Conducting Preschool Evaluations during COVID-19

A Toolkit for Committees on Preschool Special Education to
continue Child Find responsibilities during the COVID-19 outbreak

<http://www.p12.nysed.gov/specialed/publications/2020-memos/documents/preschool-evaluations-july-2020.pdf>

July 2020

NYSAC Webinar
Educating our Youngest Population: How Counties are
Responding to E.I. and Special Education Pre-K Services During
COVID-19

Saratoga County Early Intervention Program Response

Kerry White, EIM

July 28, 2020

Key Areas

- Staffing (continuation of EI Administration)
- Suspension of face-to-face services
- Ongoing administration of EIP via telehealth
- Reinstatement of face-to-face services
- Complications/Unanswered Questions
- Lessons Learned/Next Steps

EI Administration Requirements and Program Staffing

- Active EI cases were ~400 in March
- >75% of staff pulled immediately to assist at Command Center and with virus related job duties
- No emergency plans in place for coverage of PHL and IDEA required EIP procedures and daily activities
- Lack of clarity regarding EI designation as essential or non-essential
- Frequent changes in work location and social distancing requirements

Suspension of Services

EIO/EIM

- Notification to Director of BEI
- Written notification to families, service providers, and community partners
- Referrals to EIP and Child Find
- Work from home plan
 - change regular procedures to electronic format
 - train and assist SCs in electronic processes
- Documentation of missed timelines

Service Coordinators

- Phone notification to all active families
- Amendments to IFSPs
- Status of individual CPSE transition processes
- Documentation of missed timelines in paper charts and NYEIS

Telehealth Approval

EIO/EIM

- Policy and procedure guidance to service providers and families
- Communication with BEI Technical Assistance unit
- NYEIS data corrections/changes
- Link service providers to training and provide guidance in implementation of telehealth methods
- Assist in access to devices for telehealth
- Data collection regarding telehealth use and effectiveness
- Collaborate in creation of CPSE procedures and plans

Service Coordinators

- Data entry, amend/extend IFSPs
- Assist service providers and families with telehealth consent forms; scanning and attachment in NYEIS
- Work with service providers, families and school districts to ensure children maintain eligibility for services past 3rd birthdays
- Continue to conduct initial home visits and IFSP meetings by phone or video conference
- Observe telehealth MDEs via video conference

Reinstatement of Face-to-Face Services

EIO/EIM

- Distribute policy and procedure guidance to service providers and families.
- Education in PPE and state health and safety recommendations to service providers and families.
- Written notification of LHD reopening guidelines to families, service providers and community partners.
- Amend local policies and procedures for health and safety specific to COVID-19
 - Assist service providers in updating their own health and safety policies and procedures.
 - Assist families, service providers and SCs in deciding whether or not a return to in-person care is applicable

Service Coordinators

- Timely data entry of IFSPs and evaluations
- Obtain signed agreement for health and safety protocol from parents/guardians. Notification to service providers.
- Assist families and service providers in working together to decide the most appropriate service model (if safe to return to in-home services)
- Assist service providers and families in working with school districts for children to maintain eligibility for services past 3rd birthdays
- Continue to conduct initial home visits, observations of MDEs, IFSP meetings and CPSE meetings by phone or video conference.

Complications/Unanswered Questions

- Staffing
- Limited electronic processes and procedures that meet HIPAA and FERPA compliance standards
- Lack of NYEIS reports/lists
- Provider reporting and hand counting of data and statistics
- Limited public guidance and acknowledgement of birth to five population needs related to closures and virus effects on age group.
- No emergency plans for birth to five population, or for children with special needs in general
- Unknown categorization of EI within state and federal planning
 - Medical or educational services?
- Continued questions of county vs state roles in service provider oversight/supervision

Lessons Learned/Next Steps

- EI is defined as essential
- Impression that “There are no emergencies in EI” changed.
 - Complete stoppage of services would be violation of Federal IDEA and FAPE
- Advantages of telehealth/counties should advocate that it continue as service model
- Evidence of data collection, administrative and local programmatic needs to request as part of new EI-HUB
- Future emergency planning at LHDs should include specifics for birth to five age group, and should have clauses specific to children and youth with special needs.