

## Referral Process

### Introduction

In order to receive services provided by the North Carolina Infant-Toddler Program, children must be referred and deemed eligible. Children between birth and age three (regardless of the child's age at the time of referral) are entitled to the full range of Infant-Toddler Program services, including referral, eligibility determination, Individualized Family Service Plan development, and service delivery. The North Carolina Infant-Toddler Program must ensure that evaluation and assessment activities are completed, an Individualized Family Service Plan meeting held, and the initial Individualized Family Service Plan developed within forty-five (45) calendar days after a child is referred to the Infant-Toddler Program, unless the parent indicates otherwise. Any delays in meeting this 45 day requirement must be documented in the Service Coordinator's record on the child. A copy of any notes documenting delay in meeting this requirement must be sent to the Children's Developmental Services Agency at the time of the notation for filing in the Infant-Toddler Program record maintained by the Children's Developmental Services Agency. There is a flow chart of the process for "Entry into North Carolina's Infant-Toddler Program" at the end of this Policy.

The Children's Developmental Services Agency is responsible for developing procedures for handling referrals, designating a Service Coordinator, determining eligibility, and making arrangements for the initial Infant-Toddler Program evaluation. Any child who appears to meet the eligibility criteria for the Infant-Toddler Program must be referred. (*For additional information, see Policy Bulletin #18 - Eligibility Categories.*)

### Infant-Toddler Program Referrals

Referral sources are required to notify the Children's Developmental Services Agency within two (2) working days of identifying children who may be eligible (i.e., most likely would meet one of the eligibility categories and, therefore, be entitled to the rights and services of the Infant-Toddler Program). Any source or method may be used to make referrals to the Infant-Toddler Program for infants and toddlers who may be eligible. Referral sources are strongly encouraged to inform families that they are making a referral and, whenever possible, obtain written parental authorization to share relevant information beyond the basic, allowable child find information with the Children's Developmental Services Agency. Thereby, families are more easily prepared to receive a contact regarding Infant-Toddler Program services. The referral source is required by state child find laws to make a child who may be eligible for the Infant-Toddler Program known to the Children's Developmental Services Agency even if the parent does not want the child to be referred. The fact that parent is not interested in pursuing the child's eligibility and enrollment must be shared with the Children's Developmental Services Agency, who will make note of the referral, but take no action.

According to federal regulations, referral sources include: hospitals; physicians; the parent; child care programs; public schools; public health facilities; other social service agencies; other health care providers, and any other public or private agency receiving public funds. Written authorization by the parent is not required before the referral source notifies the Children's Developmental Services Agency of

the child. North Carolina child find requirements allow the person or agency making the referral to share the child's name, date of birth, address, telephone number, parent's name, and the general fact that the child may be eligible for the Infant-Toddler Program. This information is needed to determine if the child is already receiving services from any local agencies and to make contact with the family. The information shared should only be basic facts that would aid in an initial conversation with the family. Details of specific diagnostic information about the child, family situations, sensitive issues, and information not relevant to the referral cannot be discussed without the parent's written authorization. Beyond the initial referral, the parent does need to give Written Parental Consent to proceed with the process of determining the child's eligibility for the Infant-Toddler Program before any further discussion about the child and family takes place, initial evaluation planning occurs, or eligibility determination decisions are made. *(For additional information, see Policy Bulletin #11 - Confidentiality and Privacy Issues and Policy Bulletin #12 - Written Parental Consent.)*

When a referral is received by the Children's Developmental Services Agency, the Child Service Coordination Program at the local Health Department is to be contacted to see if the child is enrolled in the Child Service Coordination Program. Since this information exchange is service coordination, which is treatment under North Carolina statute and the Health Insurance Portability and Accountability Act's privacy regulation, the local Health Department may share with the Children's Developmental Services Agency whether or not the child is enrolled in the Child Service Coordination Program without written parental authorization.

Once a referral is made to the Infant-Toddler Program and the Service Coordinator begins assisting the family, the child should be closed to the Child Service Coordination Program. If the child is referred back to the local Health Department and re-enrolled in the Child Service Coordination Program, services may resume under this Program. However, the Children's Developmental Services Agency must have written parental authorization to make a referral back to the local Health Department and to the Child Service Coordination Program. The Infant-Toddler Program confidentiality requirements under the Individuals with Disabilities Education Act and the Family Educational Rights and Privacy Act are stricter than the Health Insurance Portability and Accountability Act, and all information exchanges, including service (treatment) referrals must be authorized. *(For additional information, see Policy Bulletin #11 - Confidentiality and Privacy Issues.)*

If the child is enrolled in the Child Service Coordination Program, the Children's Developmental Services Agency must collaborate with the Child Service Coordinator in order to ensure a successful transition for the child and family to the Infant-Toddler Program. If the local Health Department is an enrolled Infant-Toddler Program provider of service coordination, the Children's Developmental Services Agency must discuss with the local Health Department whether or not the agency is the most appropriate provider of service coordination under the Infant-Toddler Program for these children and their families and if the local Health Department wishes to provide this service. Written parental authorization is required for the Children's Developmental Services Agency to have these discussions with the local Health Department.

If there is a diagnosed or suspected visual or hearing disability, the Children's Developmental Services Agency must discuss the referral with the appropriate Office of Education Services program. This discussion must include a review of any existing evaluations, the planning of additional evaluations, and the designation of a Service Coordinator for the child and family.

Within two working days of receiving a referral, the Children's Developmental Services Agency will assign a Service Coordinator to assist the child and family. In designating this Service Coordinator, the Children's Developmental Services Agency should assign the most appropriate person in order to minimize the need for a change to a different Service Coordinator in the future. The assigned Service Coordinator must contact the parent immediately to introduce the Infant-Toddler Program. Initial encounters with families by Service Coordinators include:

- listening to the parent's concerns and preferences;
- explaining the Infant-Toddler Program;
- substantiating risk factors, if needed;
- giving the parent a copy of the *Parent Handbook for the North Carolina Infant-Toddler Program* and reviewing it with him;
- reviewing *Infant-Toddler Program Child and Family Rights* with the parent;
- obtaining the parent's signature on the *North Carolina Infant-Toddler Program Initial Parent Consent & Acknowledgment Form* indicating the parent's consent to proceed with eligibility determination and acknowledgement that he has received a copy of the *Parent Handbook for the North Carolina Infant-Toddler Program* and that his *Infant-Toddler Program Child and Family Rights* have been reviewed with him;
- obtaining the parent's written authorization on the *North Carolina Infant-Toddler Program Authorization to Disclose Health Information Form* to request information that will assist with eligibility determination and intervention planning (e.g., medical reports, previous evaluation reports) and to establish on-going communication with the referral source and the child's primary physician;
- obtaining the parent's written authorization on the *North Carolina Infant-Toddler Program Request for Restrictions on Use and Disclosure of Health Information Form*, if the parent wishes to place any such restrictions;
- discussing the initial multidisciplinary evaluation and having the parent sign the *Written Parental Consent for Evaluations* for the initial evaluation for determining eligibility and gathering information for intervention planning;
- gathering relevant demographic information;
- completing relevant sections of the *North Carolina Infant-Toddler Program Referral Form*;
- completing the *Financial Eligibility Application* used by the Infant-Toddler Program, and
- outlining with the parent the supports needed to proceed through the eligibility process.

## Referrals Deemed Inappropriate

The Children's Developmental Services Agency may decide that a referral to the Infant-Toddler Program is inappropriate prior to conducting an initial Infant-Toddler Program evaluation. The Children's Developmental Services Agency may conclude that the identified conditions are not associated with developmental concerns and that early intervention services are not needed. The Children's Developmental Services Agency must record the receipt of the referral and clearly document the reason for determining the referral to be inappropriate. This decision along with its justification must be communicated in writing to both the parent and the referral source using the *North Carolina Infant-Toddler Program Notification of Eligibility Determination Form*.

If a referral is deemed inappropriate, the Children's Developmental Services Agency should discuss the need for service coordination with the parent and make a referral to the Child Service Coordination Program or another community provider, as appropriate. Written authorization from the parent to make this referral is required. The Children's Developmental Services Agency should share information with the parent about other community resources, as appropriate.

## Timelines

The forty-five (45) day timeline begins on the day the Children's Developmental Services Agency receives a referral on a child who may be eligible. The forty-five days are calendar days. For example, if the referral date is June 3, the Individualized Family Service Plan must be developed by July 18.

## Families Right to Proceed at Their Own Pace

Each parent understands and follows the process of completing evaluations, eligibility determination, and the Individualized Family Service Plan differently and according to his own pace. Parents dictate the pace at which completion of these requirements occurs by their action or inaction. The intention of the 45-day timeline for completion of the process is to expedite these necessary actions in the family's and child's best interest.

Sometimes the 45-day expectation is not in the best interest of the child and family. A parent may alter the pace and timeframe for completion of requirements by requesting a delay in the process. A request for the delay does not stop the 45-day timeline; instead, the process is extended beyond the 45-day expectation. The Children's Developmental Services Agency will not be held responsible if families specifically request a delay, cannot be located, or consistently do not respond to reasonable attempts to contact them. Parent requests for a delay, missed appointments, lack of response to contacts must be documented in the Service Coordinator's agency record on the child. A copy of any notes documenting these circumstances must be filed in the Children's Developmental Services Agency's record on the child at the time of the notation.

The expectation of the Infant-Toddler Program to complete the eligibility determination, the initial Infant-Toddler Program evaluation, and the initial Individualized Family Service Plan within the 45-day timeframe remains unless the parent changes this expectation by verbal or written request or by missing appointments or other signs of disinterest in the process.

A parent who chooses not to enroll his child in the Infant-Toddler Program must understand that the law does not protect them should the parent feel that a particular service or entitlement under the Infant-Toddler Program has been denied them. The parent must be fully informed of the consequences of his choice not to enroll and his right to request services at a later date. For example, a child who is not enrolled in the Infant-Toddler Program is not granted the transition assurances for Preschool Program placement enjoyed by children enrolled in the Infant-Toddler Program, including guaranteed placement, if eligible, on the child's third birthday.

If the parent chooses not to enroll his child in the Infant-Toddler Program or the child ceases to be enrolled at some point in the future, the Children's Developmental Services Agency should discuss the need for service coordination with the parent and make a referral to the Child Service Coordination Program or another community provider, as appropriate. Written authorization from the parent to make this referral is required. The Children's Developmental Services Agency should share information with the parent about other community resources, as appropriate.

### **Fulfillment of Service Coordination Responsibilities at the Time of Referral**

The Children's Developmental Service Agency, in collaboration with the parent, assigns a Service Coordinator at the time of referral to the Infant-Toddler Program. If the Children's Developmental Services Agency is unable to immediately assign a Service Coordinator to assist the family, the agency must discuss this with the parent and try to negotiate an agreeable solution. The Children's Developmental Services Agency must inform the parent that the agency is out of compliance with Infant-Toddler Program requirements and remind the parent of his rights to due process. All discussion, negotiation, and on-going communication with the family must be documented by the Children's Developmental Services Agency.

### **Special Considerations**

#### **When the Parent is Not Engaged in the Referral and Eligibility Determination Process**

When a parent is not engaged in the Infant-Toddler Program referral and eligibility determination process, the Service Coordinator must make numerous and varied attempts to contact the parent (e.g., phone calls, home visits, mail, requesting assistance from the referral source, the child's physician, relatives, or other community resources). If unsuccessful in contacting the parent or resolving issues related to the parent's lack of participation, the Service Coordinator must send the parent a letter by mail that:

- reviews what the Infant-Toddler Program is and how it may be beneficial to the child and family;
- states who referred the child and why;
- includes a copy of Child and Family Rights under the Infant-Toddler Program;
- states that attempts to involve the parent have been unsuccessful and briefly describes these attempts;

- requests that the parent contact the Service Coordinator within ten (10) calendar days, if he wishes to discuss continued involvement and the receipt of services, and
- informs the parent that he may contact the Children's Developmental Services Agency at any time in the future about resuming participation in the Infant-Toddler Program.

If the parent does not respond to this letter, the Service Coordinator must document the lack of response and notify the Children's Developmental Services Agency of the need to stop the referral and eligibility determination process. If the parent does respond, but states that he does not want to proceed with the referral and eligibility determination process at this time, the Service Coordinator must document the parent's decision and notify the Children's Developmental Services Agency of the parent's decision. A copy of all written communication to the parent and notes of any other attempts to communicate with the parent must be filed in the Service Coordinator's record on the child and copies provided to the Children's Developmental Services Agency at the time of the notations.

### **Initiation of Urgent Interventions**

Under certain circumstances, Infant-Toddler Program services may commence for an eligible child and his family before the completion of the initial Infant-Toddler Program evaluation and the development of the initial Individualized Family Service Plan. The parent, the Service Coordinator, and the service providers who have initiated such services must develop an Interim Individualized Family Service Plan. (*For additional information, see Policy Bulletin #25 - Individualized Family Service Plans.*)

### **Children with Extended Hospital Stays**

A child under age three who is hospitalized has the same Infant-Toddler Program rights to referral, eligibility determination, Individualized Family Service Plan development, and service delivery as a child living with his family in the community. The Children's Developmental Services Agency must work with hospitals to ensure mechanisms are in place for making referrals, sharing information with families, maintaining effective and efficient communication, conducting evaluations, planning and delivering appropriate services to the child and family, and ensuring appropriate implementation of Infant-Toddler Program requirements. While all Infant-Toddler Program assurances must be met for these children and their families, services cannot be billed to Medicaid by non-hospital providers while the child is an inpatient in the hospital.

If the hospitalization occurs at the time of birth, upon establishing reasonable expectation that the child will survive, hospitals are required to make a referral to the appropriate local Children's Developmental Services Agency within two working days of identifying a child who may be eligible. The Children's Developmental Services Agency in the child's county of residence is responsible for ensuring that all aspects of the Infant-Toddler Program are implemented. If personnel are available in the hospital to help facilitate the referral and eligibility processes, the assigned Service Coordinator may enlist their help with the activities that are a part of initial encounters with the parent. The Children's Developmental Services Agency must work with hospitals to ensure that the parent is provided with information about the Infant-Toddler Program, including his child and family rights, so that he can make an informed decision regarding the pursuit of eligibility determination.

**When a Family Moves within the Children's Developmental Services Agency Catchment Area**

If a family moves during the referral and eligibility determination process, the Children's Developmental Services Agency must ensure that this process continues without interruption and proceeds as smoothly as possible for the child and family. The forty-five day timeline requirement remains. If it is necessary to change the designation of the Service Coordinator, this must be done with sensitivity to the family's needs and with the least amount of disruption as possible.

**When a Family Moves from One Children's Developmental Services Agency Catchment Area to Another**

If a family moves during the referral and eligibility determination process, both Children's Developmental Services Agencies must ensure that this process continues as smoothly as possible for the child and family. All information collected related to referral and eligibility determination must be copied and the copies sent immediately with the parent's written authorization to the receiving Children's Developmental Services Agency. A new Service Coordinator must be designated and must contact the parent immediately to develop and implement plans for proceeding with eligibility determination. The forty-five day requirement should be honored to the best of the ability of the new Children's Developmental Services Agency.

**When a Child Moves From Another State**

If a child moves into North Carolina from another state where he was eligible for Part C of the Individuals with Disabilities Education Act, it is necessary to go through the North Carolina Infant-Toddler Program referral and eligibility determination process, as described in this Manual because states have different eligibility criteria or definitions. If the evaluation and assessment information from the other state is less than six months old, is complete, and available for use, the requirements to complete an initial Infant-Toddler Program evaluation may be waived.

**When a Child with a Hearing Loss is Identified**

When a child with a hearing loss is identified, the Children's Developmental Services Agency must ensure that a referral to BEGINNINGS for Parents of Children Who are Deaf or Hard of Hearing is made, if the parent provides written authorization to do so. (*For additional information, see Resources and Publications.*)

**When Children are Referred to the Infant-Toddler Program Close to Their Third Birthday**

Children referred to the Infant-Toddler Program close (typically within three to four months) to their third birthday are entitled to Infant-Toddler Program enrollment, including Individualized Family Service Plan development and service delivery. When referral does occur close to the third birthday, it is recommended that the Infant-Toddler Program eligibility determination process, available services, and child and family rights, including rights to transition and service availability on the third birthday as well as similar information regarding the Preschool Program, be fully explained to the parent. The Children's Developmental Services Agency should ensure these options are discussed with the parent.

If the parent decides not to be considered for the Infant-Toddler Program, but does wish to pursue Preschool Program services, the established Preschool Program referral procedures, including planning for necessary evaluations, should be initiated instead of those for the Infant-Toddler Program. If the parent wishes to be considered for participation in the Infant-Toddler Program, the existing Infant-Toddler Program eligibility determination procedures are to be followed. Evaluation planning should include the Preschool Program entry requirements to avoid subsequent duplicative evaluations. Because of the child's age, transition will be a major intervention focus on the Individualized Family Service Plan. *(For additional information, see Policy Bulletin #28 - Transition from the Infant-Toddler Program.)*

Regardless of the option chosen, parents should be offered the assistance of a Service Coordinator. Also, particular attention should be paid to children under the age of three for whom a need for assistive technology services and devices is indicated. Since availability of this service may be more limited after the third birthday, it is important that evaluations are completed, an Individualized Family Service Plan developed, equipment ordered, and related support planned before the child turns three.

The Children's Developmental Services Agency should discuss the need for service coordination beyond age three with the parent and make a referral to the Child Service Coordination Program or another community provider, as appropriate. Written authorization from the parent to make this referral is required. The Children's Developmental Services Agency should share information with the parent about other community resources, as appropriate.

## Entry into the North Carolina Infant-Toddler Program

