



## Local Early Intervention Program and Health Care Program for Children with Special Needs (HCP) Collaborative Guidelines



June, 2009 reviewed and revised

### **Purpose:**

The purpose of this document is to define how Early Intervention staff within Community Centered Boards and Health Care Program for Children with Special Needs (HCP) work together to implement a statewide, interagency, multidisciplinary, coordinated system of early intervention services in Colorado. The early intervention system assures developmental, health/medical, non-medical, psychosocial and educational needs are met in the local community, thus providing a Medical Home approach for all children in Colorado's early intervention system. A medical home approach is particularly important for children with complex medical needs who may require a wide range of medical and social supports and services.<sup>1</sup>

Throughout this document, the local "Early Intervention" (EI) system refers to the multiple agencies that have shared responsibility for assuring the implementation of the Infant and Toddler section (Part C) of the federal Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and state early intervention rules (CRS 27-10.5).

### **Background Information:**

The EI system provides "comprehensive service coordination" to meet the needs of a family, as well as a child. HCP provides advice to the EI system on health care needs of children, referral of potentially eligible infants and toddlers for EI services, and support in systems development to address issues, such as lack of health providers and access to medical specialists. HCP care coordination focuses on the health needs of children, particularly children with complex medical needs, while EI service coordination focuses on the developmental needs of children.<sup>2</sup>

In Colorado, the Department of Human Services, Division for Developmental Disabilities (DDD), as lead agency for Part C of IDEA, is responsible for ensuring:

- a local community system is in place within each designated service area to provide for a timely, comprehensive, multidisciplinary evaluation of each infant or toddler who is referred, and
- a family-directed identification of the needs of each child's family to appropriately assist in the development of the child is completed.

Early Intervention Colorado is Colorado's early intervention (Part C) initiative, which implements IDEA 2004. DDD contracts with twenty Community Centered Boards (CCB) to cover all 64 counties at the local level to help facilitate a collaborative community process. Each CCB has a designated service area of from one to ten counties. The agencies and individuals involved in each community varies and is influenced by available unique community resources and interagency operating agreements. A service coordinator, through the CCB, assists families of infants and toddlers with significant developmental delays or disabilities to receive the family entitlements under Part C of IDEA 2004 and the early

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<sup>1</sup> Association of Maternal and Child Health Programs Report, *Reaching the Children: The Relationship Between Title V and Part C*. October 2003

<sup>2</sup> The Association of Maternal and Child Health Programs convened a working group to address goals of Title V care coordination and its relationship with other progress. Two documents were published: *Care Coordination for Children with Special Health Care Needs and Their Families in the New Millennium: Principles, Goals, and Recommendations Developed by the AMCHP Working Group on Care Coordination (2000)* and *Meeting the Needs of Families: Critical Elements of Comprehensive Care Coordination in Title V Children with Special Health Care Needs Programs (2002)*

intervention services for which they are eligible, as documented on an Individualized Family Service Plan (IFSP).

The Health Care Program for Children with Special Needs (HCP) is Colorado's Maternal and Child Health Bureau Title V Program of the Social Security Act. HCP provides a range of care coordination services for individual families. Care coordination services are provided through contracts with organized health departments, public health agencies, and county nursing services that serve all 64 counties in Colorado. HCP team members may include: audiologists, nutritionists, occupational therapists, physical therapists, social workers, vision specialists, nursing, speech and language pathologists, and family coordinators.

### **Requirements for Confidentiality:**

DDD, as the lead agency for Part C of IDEA, ensures safeguards are in place for all personal health information covered under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Family Educational Rights and Privacy Act (FERPA). Colorado's early intervention system has adopted policies and procedures which ensure the protection of any personally identifiable information collected, used, or maintained, including the right of parents or guardians to written notice of and written consent to the exchange of information consistent with federal and state law [34 CFR 303.460, 34 CFR Part 99, CRS 27-10.5-120, Colorado's Early Intervention State Plan Under Part C of IDEA]. The Memorandum of Understanding among the Colorado Department of Human Services, Public Health and Environment, Health Care Policy and Financing, and Education for the implementation in Colorado of Part C requires that parents or legal guardians must be informed of and give consent of the sharing of personally identifiable information between or among agencies.

HCP, as part of the Colorado Department of Public Health and Environment, has safeguards in place for all personal health information. These safeguards are based on the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). They are designed to ensure that personal health information is kept, and confidentiality is maintained. The Colorado Department of Public Health and Environment has statutory (CRS 25-1.5-101 to 25-1.5-105) and regulatory (Board of Health, Rules and Regulations Pertaining to Detection, Monitoring, and Investigation of Environmental and Chronic Diseases, 6 CCR 1009-7), authority to collect information regarding conditions such as birth defects. Within these statutes, it states that such information held by state and local health departments "*shall be strictly confidential. Such reports and records shall not be released, shared with any agency, or institution, or made public, upon subpoena, search warrant, discovery proceedings, or otherwise, except...*" under certain limited circumstances. Releasing confidential public health reports or records is identified as a Class I Misdemeanor.

### **Collaborative Guidelines:**

#### **Local CCBs will:**

- establish a system to share, with parent consent, the names and date of birth of children who have been enrolled in EI services with local HCP contractors in order to match children's names with Colorado Responds to Children with Special Needs (CRCSN) notifications to avoid duplication of effort and unnecessary contacts to families.
- notify HCP local contractors of any child with medical or health concerns and/or when the child does not have a Primary Care Provider (PCP) to discuss the need for public health involvement to provide health information, resource and referral and/or health consultation regarding medical concerns that may impact a child's medical plan of care and IFSP.

#### **Local HCP contract offices will:**

- refer to the Community Centered Board all children, birth through two years of age, who may be eligible for early intervention services.
- provide health consultation to members of a child's IFSP team about the child's health concerns, upon request.

- facilitate collaboration and coordination among EI services, the family, the child's primary care provider/medical home, and specialty care providers for children identified with special health care needs and, receiving HCP Care Coordination, when requested by an IFSP team.
- check the names of CRCSN notifications against a list of children enrolled in EI services, provided by a CCB (with parent consent) to HCP, to assure that children eligible for EI services are appropriately enrolled.

***Local HCP and CCB together will:***

- review available systems level data (local Community Contract and Management System (CCMSWeb), Vital Statistics data, etc.) together on a regular basis for purposes of community needs assessment and interagency system coordination and planning.
- identify opportunities for collaborative efforts and outreach to hospitals, primary care providers, home care agencies, or other health agencies.

Local HCP and CCB may establish a local interagency operating agreement or memorandum of understanding (MOU) as needed to define the collaboration between HCP and CCB.

***Other Health Care Program for Children with Special Needs (HCP) Services:***

Other consultative or intensive HCP services may be available depending upon local HCP capacity and available reimbursement. In some cases, when needed to meet an identified outcome and agreed upon by an IFSP team, these services can be documented as an early intervention service on the Supports and Services page of the IFSP.

Note: Please refer to the following documents for clarification and details regarding the Collaborative Guidelines:

- HCP Collaboration within the Early Intervention System: Identification to Transition
- Sample Authorization to Release Information form, with all HIPAA and FERPA requirements
- Early Intervention Referral and Consent Form
- Colorado's Early Intervention System - Who and What (a guide for referral sources)
- Colorado's Early Intervention Referral Status Update Form
- Health Information and Developmental Implications- Examples for HCP Assistance