**Section 226.160 Medical Review**

a) In accordance with 34 CFR 300.304(c)(4), any student who is being evaluated or re-evaluated for special education services shall be assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, communicative status, and motor abilities. The results of the medical review shall be used by the IEP team to address any educationally relevant medical findings or other health concerns that may affect the provision of FAPE to students with disabilities. The medical review shall consist of the following components.

1) Subjective information, if relevant, which may include:

A) a description of the perceptions that the parents and student, as applicable, have regarding the student's health;

B) a health history of the student from the parents; and

C) a description of perceptions of the student's teachers relative to how the student's health may be affecting his or her academic performance or access to the curriculum.

2) Objective information, if relevant, which shall include:

A) a summary of information contained in the student's health record and the record of other health-related information, as defined at 23 Ill. Adm. Code 375.10 (Definitions), about his or her prior and current health conditions; and

B) a summary of any relevant health-related information obtained from records provided by or requested from the student's parent, health care provider, or health facility where the student has received services, which may address prenatal and birth history; early growth and development; medical issues the child has experienced; hospitalizations and significant injuries; medical diagnosis, if any; and medications or treatments the child currently receives.

3) Nursing services, if relevant, which shall include the identification of the school health services or school nurse services necessary to enable a student with a disability to receive FAPE as described in his or her IEP. (See 34 CFR 300.34(c)(13).)

4) Educationally relevant medical findings, which shall include the identification of the medical conditions and other health-related issues that are likely to adversely affect a child's educational performance.

5) Recommendations, which shall include an analysis of the information gathered for the purpose of:

A) determining the medical, school health, and/or school nurse services that should be provided during the school day; and

B) developing a proposed plan that provides for specific accommodations, modifications, or interventions to be implemented when educationally relevant medical, school health, and/or school nurse findings are made, which shall include annual goals, short-term objectives, and ongoing evaluation.

b) Qualifications of Personnel

1) Until June 30, 2016, the practitioners who are qualified to conduct a medical review that addresses each of the components listed in subsection (a) shall be limited to:

A) An individual who holds a professional educator license endorsed for school support personnel for school nurse, pursuant to 23 Ill. Adm. Code 25.245 (Endorsement for School Nurses); or

B) An individual licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987 [225 ILCS 60]; or

C) An individual licensed as a registered professional nurse pursuant to Article 60 of the Nurse Practice Act [225 ILCS 65/Art. 60]; or

D) An individual licensed as an advanced practice nurse pursuant to Article 65 of the Nurse Practice Act [225 ILCS 65/Art. 65].

2) Beginning July 1, 2016, the practitioners who are qualified to conduct certain components of the medical review, as identified in this subsection (b)(2), shall be limited to:

A) An individual who holds a professional educator license with a school support personnel endorsement for school nurse, pursuant to 23 Ill. Adm. Code 25.245 (Endorsement for School Nurses), who may conduct any of the components listed in subsections (a)(1) through (5); or

B) An individual licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987 [225 ILCS 60], who may conduct any of those components listed in subsections (a)(1) through (4); or

C) An individual licensed as a registered professional nurse pursuant to Article 60 of the Nurse Practice Act [225 ILCS 65/Art. 60] and who also holds a bachelor's degree in nursing, education or a related field, who may conduct any of those components listed in subsections (a)(1) through (4); or

D) An individual licensed as an advanced practice nurse pursuant to Article 65 of the Nurse Practice Act [225 ILCS 65/Art. 65], who may conduct any of those components listed in subsections (a)(1) through (4).

c) Certain exceptions shall apply to the personnel qualifications set forth in subsection (b).

1) After July 1, 2016, an individual meeting the qualifications set forth in subsection (b)(1)(B), (b)(1)(C) or (b)(1)(D) who is currently employed by a school district or special education cooperative also may continue to conduct activities described in subsection (a)(5), provided that no later than June 30, 2016, he or she:

A) successfully completes a training course specific to special education laws and regulations and students with disabilities that is approved by the State Board of Education; or

B) passes the content-area test for the school nurse endorsement authorized under 105 ILCS 5/21B-30.

C) Any practitioner receiving authorization under subsection (c)(1) to conduct activities set forth in subsection (a)(5) retains that authorization provided he or she completes the professional development required at 23 Ill. Adm. Code 25.Subpart J (Renewal of Professional Educator Licenses).

2) Beginning on July 1, 2016, a school district or special education cooperative may first employ a practitioner who meets the qualifications set forth in subsection (b)(2)(B), (b)(2)(C) or (b)(2)(D) to conduct the activities described in subsection (a)(5), provided that each of the conditions listed in this subsection (c)(2) are met.

A) A school district or special education cooperative has not been able to recruit an individual meeting the qualifications set forth in subsection (b)(1)(A) due to a shortage of these individuals.

B) The school district or special education cooperative must be actively engaged in the recruitment process, as evidenced by written documentation such as notices on the agency's website, postings with professional organizations, or personnel notices placed in newspapers, either online or in print. The school district or special education cooperative shall retain this documentation, which must include the date of publication or notice, for the duration of the employment of the practitioner recruited under the provisions of subsection (c)(2), and make it available upon request to the State Board of Education or its designee.

C) Any individual hired pursuant to subsection (c)(2) shall meet the qualifications of subsection (b)(2)(B), (b)(2)(C) or (b)(2)(D) and meet either of the requirements stated in subsection (c)(1) as soon as is practicable, but in no case longer than 12 months from the date of hire.

D) Any practitioner receiving authorization under this subsection (c)(2) to conduct activities set forth in subsection (a)(5) retains that authorization provided he or she completes the professional development required at 23 Ill. Adm. Code 25.Subpart J (Renewal of Professional Educator Licenses).

(Source: Amended at 40 Ill. Reg. 2220, effective January 13, 2016)