

1 AN ACT concerning children.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Early Intervention Services System Act is  
5 amended by changing Section 11 as follows:

6 (325 ILCS 20/11) (from Ch. 23, par. 4161)

7 Sec. 11. Individualized Family Service Plans.

8 (a) Each eligible infant or toddler and that infant's or  
9 toddler's family shall receive:

10 (1) timely, comprehensive, multidisciplinary  
11 assessment of the unique needs of each eligible infant  
12 and toddler, and assessment of the concerns and  
13 priorities of the families to appropriately assist them  
14 in meeting their needs and identify services to meet  
15 those needs; and

16 (2) a written Individualized Family Service Plan  
17 developed by a multidisciplinary team that which includes  
18 the parent or guardian. The individualized family service  
19 plan shall be based on the multidisciplinary team's  
20 assessment of the resources, priorities, and concerns of  
21 the family and its identification of the supports and  
22 services necessary to enhance the family's capacity to  
23 meet the developmental needs of the infant or toddler,  
24 and shall include the identification of services  
25 appropriate to meet those needs, including the frequency,  
26 intensity, and method of delivering services. During and  
27 as part of the initial development of the individualized  
28 family services plan, and any periodic reviews of the  
29 plan, the multidisciplinary team shall consult the lead  
30 agency's therapy guidelines and its designated experts,  
31 if any, to help determine appropriate services and the

1 frequency and intensity of those services. All services  
2 in the individualized family services plan must be  
3 justified by the multidisciplinary assessment of the  
4 unique strengths and needs of the infant or toddler and  
5 must be appropriate to meet those needs. At the periodic  
6 reviews, the team shall determine whether modification or  
7 revision of the outcomes or services is necessary.

8 (b) The Individualized Family Service Plan shall be  
9 evaluated once a year and the family shall be provided a  
10 review of the Plan at 6 month intervals or more often where  
11 appropriate based on infant or toddler and family needs. The  
12 lead agency shall create a quality review process regarding  
13 Individualized Family Service Plan development and changes  
14 thereto, to monitor and help assure that resources are being  
15 used to provide appropriate early intervention services.

16 (c) The evaluation and initial assessment and initial  
17 Plan meeting must be held within 45 days after the initial  
18 contact with the early intervention services system. With  
19 parental consent, early intervention services may commence  
20 before the completion of the comprehensive assessment and  
21 development of the Plan.

22 (d) Parents must be informed that, at their discretion,  
23 early intervention services shall be provided to each  
24 eligible infant and toddler in the natural environment, which  
25 may include the home or other community settings. Parents  
26 shall make the final decision to accept or decline early  
27 intervention services. A decision to decline such services  
28 shall not be a basis for administrative determination of  
29 parental fitness, or other findings or sanctions against the  
30 parents. Parameters of the Plan shall be set forth in rules.

31 (e) The regional intake offices shall explain to each  
32 family, orally and in writing, all of the following:

33 (1) That the early intervention program will pay  
34 for all early intervention services set forth in the

1 individualized family service plan that are not covered  
2 or paid under the family's public or private insurance  
3 plan or policy and not eligible for payment through any  
4 other third party payor.

5 (2) That services will not be delayed due to any  
6 rules or restrictions under the family's insurance plan  
7 or policy.

8 (3) That the family may request, with appropriate  
9 documentation supporting the request, a determination of  
10 an exemption from private insurance use under Section  
11 13.25.

12 (4) That responsibility for co-payments or  
13 co-insurance under a family's private insurance plan or  
14 policy will be transferred to the lead agency's central  
15 billing office.

16 (5) That families will be responsible for payments  
17 of family fees, which will be based on a sliding scale  
18 according to income, and that these fees are payable to  
19 the central billing office, and that if the family  
20 encounters a catastrophic circumstance, as defined under  
21 subsection (f) of Section 13 of this Act, making it  
22 unable to pay the fees, the lead agency may, upon proof  
23 of inability to pay, waive the fees.

24 (f) The individualized family service plan must state  
25 whether the family has private insurance coverage and, if the  
26 family has such coverage, must have attached to it a copy of  
27 the family's insurance identification card or otherwise  
28 include all of the following information:

29 (1) The name, address, and telephone number of the  
30 insurance carrier.

31 (2) The contract number and policy number of the  
32 insurance plan.

33 (3) The name, address, and social security number  
34 of the primary insured.

1           (4) The beginning date of the insurance benefit  
2           year.

3           (g) A copy of the individualized family service plan  
4           must be provided to each enrolled provider who is providing  
5           early intervention services to the child who is the subject  
6           of that plan.

7           (Source: P.A. 91-538, eff. 8-13-99; 92-10, eff. 6-11-01;  
8           92-307, eff. 8-9-01; revised 10-15-01.)