

Early Intervention

Procedural Safeguards Discussion Guide

For use by service coordinators when sharing information about early intervention parental rights with parents.

*Note: Not intended for distribution to parents without discussion and a complete copy of the Early ACCESS IDEA Part C Procedural Safeguards Manual for Parents (2013 version).

1. Introduction and Important Definitions (pp 1-2)

- Partnership between families, signatory agencies, and other community agencies
- Work together towards early intervention services/resources appropriate for each child/family's needs
- Determined by state/federal laws/regulations, IDEA 2004
- Resources available
- Important definitions

2. Informed Consent (p 3)

- Permission needed before Early ACCESS is allowed to take any actions that effect a child
- Your right to thoroughly understand all activities and written records
- Fully informed of all important information in native language
- Agreement to the proposed activity is obtained in writing
- Understand consent is voluntary and can be revoked at any time
- Consent must be obtained for: optional screening procedures to determine suspected disability, evaluations/assessments, to receive Early ACCESS services, use of public/private insurance, disclosing personally identifiable information from Early ACCESS file

3. Prior Written Notice (p 4)

- Early ACCESS must give you advance written information about any evaluations, services, or other actions affecting your child/family
- Notice is either embedded in the Consent for Evaluation or a separate document and is required whenever services are started or changed in any way

4. Confidentiality of Information/Records (pp 5 - 8)

- Identify where/how records are maintained
- Parents have the right to examine the child's file, have a copy of the child's records
- Changing information in a child's file if not accurate
- Personally identifiable information
- Permission to release the child's information

5. Meetings (p 9)

- Required: initial, annual, transition
- Optional: periodic
- Settings/times convenient for the family, conducted in "native language" unless clearly not feasible
- Who should attend?

6. Parents/Surrogate Parents (pp 10 - 11)

- IDEA/Early ACCESS definition of a parent
- Why surrogate may be needed
- Qualifications, appointment, and responsibilities of a surrogate

7. Options for Resolving Disagreements (pp 12 - 25)

- Mediation
- State complaints
- Due process complaints/hearings
- Forms for mediation, complaint, hearing

8. System of Payments Policies (pp 26 - 35)

- Medicaid billing
- Private insurance