

STATE DEFINITIONS OF PART C ELIGIBILITY

(Authority: IDEA, Part C, U.S.C., 1432, 1434, 1435)

Policy:

Hawaii's Part C program, in accordance with 20 U.S.C. 1432(5)(A), defines infants and toddlers with disabilities as infants and toddlers under age three (3) who:

- 1) Are experiencing developmental delays, based on the definition below; or,
- 2) Have a diagnosed physical or mental condition that has a high probability of resulting in developmental delay.

The State of Hawaii assures that the following rigorous definition of developmental delay is used to appropriately identify all infants and toddlers under age three (3) with disabilities who will be eligible for and provided Part C early intervention services within the State of Hawaii. (20 U.S.C. 1435 (a)(1)).

The State further assures that appropriate early intervention services are provided to eligible infants and toddlers and their families, including the underserved groups, such as infants and toddlers who are homeless, low-income, and wards of the state, who live in rural areas and who have a substantiated history of child abuse or neglect and who meet the definitions listed below.

Procedures:

The following definitions are used to identify infants and toddlers who are eligible for early intervention services.

Developmental Delay

Definition. Developmental delay means a delay in one or more of the following areas of development: cognitive development; physical development (including vision and hearing); communication development; social or emotional development; and adaptive development, as described below:

1. 33% delay in chronological/adjusted age or 2 Standard Deviations below the norm in one area; or
2. 25% delay in chronological/adjusted age or 1.5 Standard Deviations below the norm in two or more areas; or
3. Informed clinical opinion by a multi-disciplinary team.

Eligibility. Eligibility will be determined by the completion of a multidisciplinary evaluation by a multidisciplinary team using evaluation instruments that have been approved by the Council that can obtain quantifiable measures including percent of delay, months of delay, and/or standard deviation below the norm. If informed

clinical opinion is used to determine eligibility rather than by an approved evaluation instrument, the basis for the informed clinical opinion must be documented on the evaluation report. A child found eligible based on clinical opinion can receive services for up to six (6) months. For services to continue beyond six (6) months the child must meet the above definition's numbers one or two for development delay.

Eligibility will be determined within 45 days of referral to early intervention. The multidisciplinary evaluation will also be used to determine the Individualized Family Support Plan (IFSP) outcomes and services to support the outcomes.

Diagnosed Physical or Mental Condition

Definition. Diagnosed physical or mental condition means a child under the age of three (3) with a diagnosed physical or mental condition that has a high probability of resulting in a developmental delay if early intervention services are not provided. This includes conditions such as chromosomal abnormalities; genetic or congenital disorders; severe sensory impairments; inborn errors of metabolism; disorders reflecting disturbance of the development of the nervous system; congenital infections; disorders secondary to exposure to toxic substances, including fetal alcohol syndrome; severe attachment disorders; and a diagnosis of Autism Spectrum Disorder (ASD) which includes but is not limited to Autistic Disorder, Asperger's Disorder, and Pervasive Developmental Disorder, Not Otherwise Specified (PDD-NOS).

Eligibility. Eligibility may be determined by:

1. A statement/report signed by a physician, indicating the condition which is likely to lead to a developmental delay, or
2. A multidisciplinary evaluation.

Informed clinical opinion and other relevant factors may be used to determine if an infant's or toddler's diagnosed physical or mental condition has a high probability of resulting in a developmental delay if early intervention services are not provided. Eligibility will be determined within 45 days of referral to early intervention.

For children who have been determined eligible based on a statement/report signed by a physician, the purpose of the multidisciplinary process is to support the development of the IFSP and identify the outcomes and appropriate early intervention services to meet the infant's or toddler's needs. The multidisciplinary evaluation also must be completed within 45 days of referral to early intervention.