

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;
- 2) Have a diagnosed physical or mental condition that has a high probability of resulting in developmental delay; and
- 3) Are at risk of having substantial developmental delays if early intervention services are not provided.

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 are in need of 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 any 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.

This rigorous definition of eligibility is based on the philosophical belief that neither a percentage of delay, nor level of standard deviation should be an absolute or sole requirement to establish eligibility. It is the belief of the Council that a multidisciplinary team consisting of qualified professionals and the family can determine whether the development of any referred infant or toddler is outside the range of "normal" or "typical" for a same-aged peer, adversely affects the child's overall development, and can benefit from early intervention services.

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. These instruments, which can obtain quantifiable

measures, such as percent of delay, standard deviation, and months of delay, have been approved to identify infants and toddlers with a developmental delay and in need of early intervention services. Other criteria will also be considered, such as functional status, recent rate of change, prognosis for change in the near future based on anticipated medical/health factors, family concerns, informed clinical opinion and other factors that may be relevant to the needs of that infant or toddler and the family. Eligibility will be determined within 45 days of referral to early intervention. The multidisciplinary evaluation will also be used to determine the 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; and severe attachment disorders.

Eligibility. Eligibility within this category 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.

At Risk of Substantial Developmental Delay

Definition. At-risk of substantial developmental delay means a child under the age of three (3) who is at risk of experiencing substantial developmental delays if early intervention services are not provided. Those at risk of substantial developmental delay shall include but are not limited to:

1. Low birthweight less than 2,500 grams;
2. Prematurity less than thirty-seven weeks;
3. Respiratory distress as a newborn;
4. Lack of oxygen;
5. Brain hemorrhage;
6. Nutritional deprivation; and
7. Being directly affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure.

Eligibility. Eligibility within this category 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 or toddler is at risk of substantial developmental delay and that early intervention services are needed. 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.