



General Assembly

January Session, 2007

**Raised Bill No. 1220**

LCO No. 4347

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Referred to Committee on Public Health

Introduced by:  
(PH)

***AN ACT CONCERNING THE BIRTH-TO-THREE PROGRAM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (4) of section 17a-248 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2007*):

4 (4) "Eligible children" means children from birth to thirty-six months  
5 of age [,] who are not eligible for special education and related services  
6 pursuant to sections 10-76a to 10-76h, inclusive, and who need early  
7 intervention services because such children: [are:]

8 (A) [Experiencing a significant developmental] Are experiencing  
9 delay [as measured by standardized diagnostic instruments and  
10 procedures, including informed clinical opinion, in one or more of the  
11 following areas] in one or more areas of development including: (i)  
12 Cognitive development; (ii) physical development, including vision or  
13 hearing; (iii) communication development; (iv) social or emotional  
14 development; or (v) adaptive skills; [or]

15 (B) [Diagnosed] Have been diagnosed as having a physical or

16 mental condition that has a high probability of resulting in  
17 developmental delay; or

18 (C) Have four or more early life risk factors, as defined in  
19 regulations adopted by the commissioner pursuant to section 17a-  
20 248d, as amended by this act.

21 Sec. 2. Subdivision (10) of section 17a-248 of the general statutes is  
22 repealed and the following is substituted in lieu thereof (*Effective*  
23 *October 1, 2007*):

24 (10) "Qualified personnel" means persons who (A) meet the  
25 standards specified in 34 CFR Part 303.12(e), as from time to time  
26 amended, [and who] (B) are licensed physicians or psychologists or  
27 persons holding a state-approved or recognized license, certificate or  
28 registration in one or more of the following fields: [(A)] (i) Special  
29 education, including teaching of the blind and the deaf; [(B)] (ii) speech  
30 and language pathology and audiology; [(C)] (iii) occupational  
31 therapy; [(D)] (iv) physical therapy; [(E)] (v) social work; [(F)] (vi)  
32 nursing; [(G)] (vii) dietary or nutritional counseling; and [(H)] (viii)  
33 other fields designated by the commissioner that meet requirements  
34 that apply to the area in which the person is providing early  
35 intervention services, provided there is no conflict with existing  
36 professional licensing, certification and registration requirements, and  
37 (C) meet such additional standards as may be established in  
38 regulations adopted pursuant to section 17a-248d, as amended by this  
39 act.

40 Sec. 3. Section 17a-248d of the general statutes is repealed and the  
41 following is substituted in lieu thereof (*Effective from passage*):

42 (a) The lead agency, in coordination with the participating agencies  
43 and in consultation with the council, shall establish and maintain a  
44 state-wide birth-to-three system of early intervention services pursuant  
45 to Part H of the Individuals with Disabilities Education Act, 20 USC  
46 1471 et seq., for eligible children and families of such children.

47 (b) The state-wide system shall include a system for compiling data  
48 on the number of eligible children in the state in need of appropriate  
49 early intervention services, the number of such eligible children and  
50 their families served, the types of services provided and other  
51 information as deemed necessary by the lead agency.

52 (c) The state-wide system shall include a comprehensive child-find  
53 system and public awareness program to ensure that eligible children  
54 are identified, located, referred to the system and evaluated. The  
55 following persons and entities, within two working days of identifying  
56 a child from birth to three years of age suspected of having a  
57 developmental delay or of being at risk of having a developmental  
58 delay, shall refer the parent of such child to the early intervention  
59 system unless the person knows the child has already been referred:  
60 (1) Hospitals; (2) child health care providers; (3) local school districts;  
61 (4) public health facilities; (5) early intervention service providers; (6)  
62 participating agencies; and (7) such other social service and health care  
63 agencies and providers as the commissioner specifies in regulation.

64 (d) The commissioner, in coordination with the participating  
65 agencies and in consultation with the council, shall adopt regulations,  
66 pursuant to chapter 54, to carry out the provisions of section 17a-248  
67 and sections 17a-248b to 17a-248g, inclusive, 38a-490a and 38a-516a.

68 (e) The commissioner, in coordination with the participating  
69 agencies and in consultation with the councils, shall adopt regulations  
70 pursuant to chapter 54, to define early life risk factors for purposes of  
71 determining eligibility for services under the birth-to-three program.  
72 Such risk factors may include, but need not be limited to, the  
73 following: (i) Low birthweight; (ii) reduced gestation; (iii) maternal age  
74 at the time of the child's birth; (iv) family violence; (v) family substance  
75 abuse; (vi) a history of being in the care or custody of the  
76 Commissioner of Children and Families; or (vii) prolonged hospital  
77 admissions.

78 [(e)] (f) The state-wide system shall include a system for required

79 notification to any local or regional school board of education no later  
80 than January first of each year of any child who resides in the local or  
81 regional school district, participates in the state-wide program and will  
82 attain the age of three during the next fiscal year. Such system of  
83 notification shall include provisions for preserving the confidentiality  
84 of such child and of the parent or guardian of such child.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	17a-248(4)
Sec. 2	<i>October 1, 2007</i>	17a-248(10)
Sec. 3	<i>from passage</i>	17a-248d

**Statement of Purpose:**

To amend the criteria for eligibility and provider qualifications under the birth-to-three program.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*