

WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
BUREAU FOR PUBLIC HEALTH  
OFFICE OF MATERNAL, CHILD and FAMILY  
HEALTH EARLY INTERVENTION PROGRAM

POLICY 8905

FOR: West Virginia Department of Health and Human Resources

DATE: Revised January 16, 2012

TO: WV Department of Health and Human Resources (WVDHHR), Regional Administrative Units, and WV Birth to Three enrolled Service Coordinators and Practitioners

SUBJECT: Services Provided at No Cost to Families in Accordance with 34 CFR 303.14(a)(3), 303.120(b), 303.511, and 303.520(a)(2)(ii)

- I. PURPOSE: To ensure that needed Part C services are provided to an eligible infant or toddler and their family at no cost to the family.
- II. CANCELLATION: Any previous policies.
- III. DISCUSSION: None.
- IV. POLICY: The lead agency, WV DHHR, must provide or access at no cost to an eligible child's family, Part C services identified on the child's Individualized Family Service Plan (IFSP), as needed to meet the identified child or family outcomes.
- V. PROCEDURES: DHHR, Regional Administrative Units, and enrolled service coordinators and practitioners must meet the requirements of this policy and the following procedures:
  1. No fees or other costs may be charged to parents for:
    - a. Implementing child find requirements, evaluations and assessments, or service coordination;
    - b. Administrative and service coordination activities related to development, review and evaluation of IFSPs, or implementation of procedural safeguards in Subpart E of IDEA and the other components of the statewide system of early intervention services; or
    - c. Part C services identified as needed on the IFSP.
  2. DHHR, as the lead agency for administering Part C of IDEA, assures the identification and coordination of all available resources within the State including the payor of last resort and fiscal responsibility requirements. As such, the DHHR utilizes public insurance administered by the same agency, as an available resource for funding the Part C/WV Birth to Three program. DHHR accesses these funds without parental consent, with the assurance

that such use will not result in:

- a. a decrease in available annual or lifetime coverage or any other insured benefit for the child or parent;
- b. the child's parents paying for services that would otherwise have been paid for by the public benefits or insurance program;
- c. an increase in premiums or the cancellation of public benefits for the child or parents;
- d. an out-of-pocket expense such as the payment of a deductible amount incurred in filing a claim; or
- e. risk of loss of eligibility for the child or the child's parents for home and community-based waivers based on total health-related costs.

3. No parent will be required to sign up for or enroll in a public benefits or insurance program as a condition for their child to receive Part C services.

4. DHHR provides notification to parents of the use of public benefits as an available fund source to support the State's provision of Part C of IDEA.

VI. RESPONSIBILITIES: The WV Department of Health and Human Resources is responsible for complying with this policy.

VII. EFFECTIVE DATE: Immediate.