



# STATE OF NEW YORK DEPARTMENT OF HEALTH

Corning Tower

The Governor Nelson A. Rockefeller Empire State Plaza

Albany, New York 12237

Antonia C. Novello, M.D., M.P.H., Dr.P.H.  
*Commissioner*

Dennis P. Whalen  
*Executive Deputy Commissioner*

August 5, 2005

Dear Colleague:

We are pleased to provide you with the enclosed guidance document, *Standards and Procedures for Evaluations, Evaluation Reimbursement, and Eligibility Requirements and Determinations Under the Early Intervention Program*. This document will soon be available on the Department of Health Website [www.nyhealth.gov/nysdoh/eip/index.htm](http://www.nyhealth.gov/nysdoh/eip/index.htm). (Click on "Early Intervention Program Memoranda and Guidance.")

The document provides a review of the procedures for referral to the Early Intervention Program (EIP). It clarifies requirements, procedures, and reimbursement for conducting multidisciplinary evaluations. In addition, it clarifies procedures and requirements for determining children's initial eligibility and ongoing eligibility for the EIP. It is important that these procedures and requirements are used consistently statewide to ensure that evaluations are performed appropriately and eligibility is established and documented appropriately.

We hope this guidance document will prove a valuable resource to all those involved in helping families participating in the EIP.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara L. McTague'.

Barbara L. McTague  
Acting Director  
Bureau of Early Intervention

Enclosure

*Standards and Procedures for Evaluations, Evaluation Reimbursement, and Eligibility  
Requirements and Determination Under the EIP*

**Criteria for Ongoing Eligibility**

The following criteria should be used *to establish whether a child continues to be eligible for the EIP* upon a re-evaluation conducted, with parent consent, as part of the annual evaluation of the IFSP, or at the request of the EIO, parent, or service provider(s):

1. The child continues to meet the criteria used to establish initial eligibility for the EIP (developmental delay consistent with the State definition; or the presence of an unresolved or emergent diagnosed physical or mental condition with a high probability of resulting in developmental delay).
2. The child has made sufficient developmental progress and is no longer experiencing a delay in development *to the extent required for initial eligibility*; however, s/he continues to experience a developmental delay in one or more developmental domains and ***is not yet within normal developmental range***. As measured on a standardized, norm-referenced test, a child who has a score of *between 2 standard deviations below the mean and 1 standard deviation below the mean in one or more areas of development would still be eligible to participate in the EIP*. **As an example only**, if the mean score on a particular test is 100 and the standard deviation is 15, a child with a standard score of between 70 and 85, or a percentile score of between 2.14 and 16, would still be eligible for the EIP. Standardized tests should be used whenever there are such instruments appropriate for use with the child. **As discussed previously in “A Special Note on Standardized Evaluation and Assessment Instruments,” standardized tests must be used and scored as specified in the test manual.**

If there are no standardized tests available and *appropriate for the child’s language/culture and developmental concern*, the evaluator must provide sufficient documentation that, based on procedures and methods used to evaluate the child, the child continues to be experiencing developmental delays in one or more areas of development and *is not within normal developmental range*.

The following criteria should be used *to establish that a child is no longer eligible for the EIP and must exit the program*:

1. The child is no longer age-eligible for the program and does not meet the eligibility criteria for special education programs and services.
2. The child continues to be age-eligible for early intervention services, and development is within the normal range. If measured using clinical procedures and methods, the child who *is demonstrating developmental milestones within the range expected for his/her age and for whom there are no documented clinical clues or indicators of a continuing problem is no longer an eligible child*. As measured on a standardized norm-referenced test, *a child who has a standard score within one standard deviation of the mean in all areas of development is no longer an eligible child*. **As an example only**, if the mean score on a particular test is 100 and the standard deviation is 15, a child with a standard score of between 85 and 100, or a percentile score of between 16 and 50, *in all areas of development* is within normal range and no longer is eligible for the EIP. Standardized tests should be used whenever there are such instruments appropriate for use with the child. **As discussed previously in “A Special Note on Standardized Evaluation and Assessment Instruments,” standardized tests must be used and scored as specified in the test manual.**