

Birth to Three Program

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Introduction

Birth to Three Administrative Rules
HFS 90 Wis. Admin. Code

Authority for program
Sec. 51.44, Wis. Stats.

The Birth to Three Program provides developmental and other supportive services, known as early intervention services, to children from birth up to age three and their families. This comprehensive program coordinates developmental, health, and social services within the local community. The program is available in all of the 72 counties in Wisconsin. Because the program is county-based, type and availability of services will vary. Each county has designated an administrative agency that is responsible for the operation of the program in that county. The Wisconsin Department of Health and Family Services (DHFS) is responsible for the overall development of the program. The program is based on the belief that the earlier a child's developmental delays are discovered, the better the chances are that the child will be able to increase capabilities and independence.

Eligibility

Purpose of program
HFS 90.01, Wis. Admin. Code

To be eligible for this program a child must be between birth and 36 months of age, have a diagnosed developmental disability or be significantly delayed in one or more areas of development. The areas of development are: cognitive development (learning); physical development (ability to sit up, crawl or walk; ability to use their hands to hold and play with toys; or ability to see or hear); communication development (making sounds or talking and understanding what others say); social and emotional development (interest in parents and others); and adaptive development (self-help skills).



If you have concerns about your child's development but his/her development has not been evaluated, you could seek an evaluation through your medical provider. You can also consult your child's physician about a referral for evaluation by physical therapy, occupational therapy and/or speech language therapy depending upon your concerns. Be sure to check to see if the cost of an evaluation is covered by your private health insurance and/or Medicaid. Following the evaluation(s), with the help of the physician and therapist(s), you can determine if your child would benefit from ongoing therapy services. Again, sometimes the cost of these services are covered by private health insurance and/or Medicaid. Given your permission, the Birth to Three Program can use the evaluation information to determine if your child is eligible for programming.

Assessment

HFS 90.09, Wis. Admin. Code

Billing

HFS 90.11(2)(b)(4), Wis. Admin. Code

An interdisciplinary early intervention team, which includes the parents, evaluates the child's abilities and determines if the child is eligible. A family works with a service coordinator who helps the family understand and participate in the evaluation process and who, if the child is eligible for the program, will work with them to see that the family and the child receive the services they need. Eligibility for this program is based on the child's needs. The family's income does not affect eligibility. However, parents contribute to the costs of services according to their ability to pay. Also, parents may be asked permission to bill their private insurance. This can only be done with the parent's consent and must result in no cost to the parent. If a family and a county agree, the county can bill private insurance for coverage of the service and reimburse the family for costs such as co-pays or deductibles.

Services Available**Development of service plan**

HFS 90.10, Wis. Admin. Code

Once the early intervention team determines a child to be eligible, the service coordinator and other members of the team meet with the family to discuss the child's developmental strengths and needs and determine what services might enhance development. Birth to Three is a "family centered" program that recognizes the importance of parents, family and friends in a young child's life. The concerns and priorities of the family help to shape the plan for services. This plan is called an Individualized Family Service Plan (**IFSP**). As a team, the family, the service coordinator, and other early intervention team members then decide on ways to meet the goals identified in the IFSP. The plan is reviewed at least every six months. Every year the whole team meets to evaluate how well the plan is working and to change the plan if needed.

Plan is called an IFSP**Early intervention services**

HFS 90.11(3) & (4), Wis. Admin. Code

Some of the services that might be provided to meet developmental outcomes identified in an IFSP include:

1. Assistive Technology Services and Devices
2. Occupational Therapy
3. Audiology (Hearing)
4. Physical Therapy
5. Communication (Speech)
6. Special Instruction
7. Family Education and Counseling
8. Transportation
9. Parent Support

No waiting list should exist

Services are provided in natural environments, meaning settings such as home or the community that are natural or normal for the child's age peers who have no disability. There should be no waiting lists for early intervention services identified on the IFSP.



It should take no more than 45 days from the initial phone call to the Birth to Three Program to evaluation and writing of the Individual Family Service Plan. If the Birth to Three Program says there is a waiting list for programming, ask the program to inform you of your rights. The Birth to Three Program should explain your rights both verbally and in writing, and they are required to provide written information about how to file a complaint or request a hearing with the county and DHFS.

**Procedures for resolution
of parent complaints**

HFS 90.12(5), Wis. Admin. Code

How to Resolve Disputes

Parents have several options for resolving disputes in the Birth to Three Program. Parents may request mediation through an impartial third party. Participation in mediation is voluntary on the part of parents and county agencies. Parents also have the right to file a complaint for reasons which include challenging the service plan proposal, refusal to initiate or change the evaluation process, denial of eligibility, or failure to provide appropriate services. A written complaint must be filed with the Birth to Three Program at the Wisconsin Department of Health and Family Services. DHFS will appoint an impartial decision-maker. Upon receipt of a complaint, the DHFS will notify the family of the availability of mediation. If the family and the county agree to participate in mediation, it will not delay the hearing proceedings. The impartial decision-maker must issue a written decision within 45 days of receipt of the parent's complaint. If the parents are not satisfied with the decision, they have the right to bring an action in state or federal court.

Who to Contact

Wisconsin First Step maintains a toll free line with a central directory of services for the Birth to Three Program. By calling First Step, families can access information about all services available in their area, such as early intervention services, financial assistance, support programs, child care/respite, home health care, therapy providers and advocacy. The number is 1-800-642-7837 (voice and TTY), 7 a.m.-11 p.m. daily.

For information on state level activities contact:

Department of Health and Family Services
Birth to Three Program
P.O. Box 7851
Madison, WI 53707-7851
608-267-3270