

MINUTES

March 13, 2008

Marlboro, Massachusetts

Members Present: Robin Adair, Zulmira Allcock, Kim Amato, Kristin Britton, Pat Cameron, Darleen Corbett, Jen DerBogossian, Leslie Gaffney, Karin Lifter, Margaret Mahoney, Anne Marsh, Neal Michaels, Barbara Popper for Sara Miranda, Judith Nest-Pasierb, Nancy Phillips, Kathie Rose, Arlene Tannenbaum, Pam Wildnauer, Joanne Williams, Amy Young.

Members Absent: Holly Boykin, Richard Breault, Sandra Daly, Jen Greco, Jack Harris, Pam Kuechler, Peggy Lee, Anita Moeller, Therese Murphy-Miller, Kimber O’Connell, Ronna Schaffer, Nancy Schwartz.

Non-Voting Committee Chairs in Attendance: Rena Ginsberg, Alden Wood.

1. Welcome: Co-Chairperson Amy Young welcomed the group. She introduced Kim Amato, newly appointed Western Parent Representative, and Kristin Britton, representing the Massachusetts Developmental Disabilities Council. Amy distributed copies of the recently-completed ICC Strategic Plan and a brief version of the draft Massachusetts Part C 22nd Year Application to the federal Office of Special Education Programs.

Approval of Minutes: The Minutes of the ICC meeting held January 10, 2008, were approved with the following correction: On Page 2, 4th paragraph, the next-to-the-last sentence should read “IFSP visits will be billed as Home Visit hours rather than as Assessment.”

2. Director’s Report – Ron Benham: Ron welcomed Sharon Walsh, National Early Childhood Consultant, a good friend and colleague of Massachusetts Early Intervention. Ron also acknowledged the tremendous amount of hard work of Patti Fougere and other Department of Public Health Early Intervention field staff, as well as Jean Shimer, to complete the Part C 22nd Year Application.

Federal Update: While the budget in the 22nd Year Part C Application indicates only a \$12,000 reduction in funding for Massachusetts, that may change when final census numbers are available in April. Because the child population in our state is declining, while showing a significant increase in many other states, Massachusetts’ allocation could be reduced by as much as \$200,000.

State Update: We await approval of a Supplementary Budget that is expected to include \$2 million in addition to \$1 million already received in the EI Retained Revenue account to match Federal Financial Participation (FFP) dollars. House 2, the Governor’s FY 09 Budget, annualized the additional \$3 million in FFP and added \$3 million for growth in numbers served. The eligibility and programmatic changes that became effective 1/1/08 could net an additional \$2 million in savings in FY 09.

3. Part C Public Hearings: Ron thanked Amy Young and Margaret Mahoney, as well as Sucheta Doschi, a CDC preventive medicine pediatrician who is at DPH this year, for their work as

hearing officers for the Part C hearings held earlier this month in Boston and Western Massachusetts. Sixty-eight people attended the hearings; 33 offered testimony. All spoke in opposition to the proposed change in eligibility from 25% to 30% delay. Ron stressed that the change is included in the application so that it could be implemented if necessary; however, it would be used only after all other options have been exhausted. Written testimony was received from 44 people; this included letters from Senators Barbara Fargo and Fred Berry, and a letter signed by six senators and 25 representatives. The public comment period remains open until April 9, 2008. Because Part C still does not have formal regulations, the 22nd Year Application assures that Massachusetts EI is operating consistent with the reauthorized IDEA. Changes in the Massachusetts Part C budget primarily reflect collective bargaining agreements and increases in fringe benefit rates that Massachusetts is applying to all federal grants.

Ron invited additional testimony from those in attendance. Amy Young stated that the ICC could choose to submit testimony if members request it. Margaret Mahoney then summarized “themes” that emerged during public testimony given at the hearings. Feedback was unanimously opposed to changing eligibility. There was particular concern for children over two who would miss out on transition services if discharged after six months of service rather than at age three. The aggregate effect of 6-month eligibility and 30% delay would mean discontinuous service for approximately 2,000 children. Children, parents and school systems all would be impacted. Those who spoke urged that we find a fiscal solution to this fiscal problem, not a child-based solution, e.g. insurance companies, Mass Health, first dollar services not subject to deductibles, and alternative funding for autism services should first be aggressively pursued. Those who testified at the western hearing encouraged the Department to convene a blue ribbon group that could provide guidance about where the system is going. In order to maintain our historical position of doing well by infants and toddlers, we need to reach an understanding and stability regarding how many children the system will serve, how broad the eligibility criteria will be, the services to be provided, and who the payers will be.

These are a few of the additional comments of ICC members: Six-month eligibility will lead to “churning” children in and out of EI; their families will not have a sense of stability. There is added cost in moving children in and out of the system because proportionately more of the most expensive services would be required. At 30% eligibility, many children with expressive language delays would be excluded, though some of them would later prove to have significant problems. Parents will find it hard to celebrate their children’s gains if it means they are no longer eligible for EI. We should attend to how the degree of delay is determined; for some children, the Michigan does not give an accurate picture of their development. Transition planning will not take place for children who are found ineligible after 24 months of age.

Ron reminded the group that the proposed changes are a last resort. Screening initiatives will identify still more children, and the Department has a responsibility to pay for all services provided. He also stated that a working group at the Department is reviewing, and will revise, the list of established conditions that make a child automatically eligible for EI.

4. Committee Reports:

- **Personnel Preparation Committee – Rena Ginsberg:** The committee’s highest priority is to develop a true partnership with higher education. It also will review the program survey of training and orientation for part-time and consultant staff, and it will participate in the competency review process.

- **Standards Committee – Alden Wood:** Sections of the committee’s three-year Strategic Plan will be made available as they are prepared. The first goal, to revise the Transition Plan, is complete. The second goal is to align billing rules with Operational Standards, for example, the recent change in IFSP billing; and to revise the way the EIIS calculates IFSP dates. The third goal is to complete another Standards update when federal regulations are finally promulgated. The committee is also working on including Licensed Mental Health Clinicians as a billable discipline; and will consider the very complex question of whether Certified Occupational Therapy, Physical Therapy and Speech Therapy Assistants would become billable. The committee plans to assess both the fiscal and the clinical effect of changing to 6-month eligibility.
- **Program Planning Committee – Joanne Williams:** The committee has sent a memo to the EI community thanking everyone for their participation in the ICC Retreat session on social-emotional development. It is completing work on its vision statement, finalizing recommendations regarding social-emotional well-being and relationship-based practice, and considering training resources to support the recommendations. Highlights of the committee’s Strategic Plan include supporting EEC regional meetings on transitions; continuing to incorporate current research and best practices regarding social-emotional well-being into the EI system; collaborating with the Early Intervention Training Center on resources and training on infant mental health; and sending committee representatives to the Early Childhood Outcomes Stakeholders group.
- **Specialty Services Committee – Tracy Osbahr for Tom Miller:** The committee is planning an autism forum that will convene clinicians, providers, families and advocates to improve the system and obtain more adequate financial resources.
- **Fiscal Committee – Miriam Lasher for Peter Woodbury:** At the committee’s meeting on February 28 there was a presentation by NEHENNet, a nonprofit collaboration of major insurers that supports organizations to do an efficient job of checking client eligibility and other basic billing functions. It uses an internet application to verify eligibility and maintains an electronic filing cabinet. DPH is introducing but not requiring use of NEHENNet and believes it would simplify the billing process, especially in smaller programs. Insurers pay to belong, and providers pay a modest fee based on business volume. The committee continues to review federal and state budget issues, and looks at trends in program growth and workforce issues. It has discussed the importance of collaborating with other ICC committees to encourage higher education in Massachusetts to prepare more of the scarce allied health disciplines that are so hard to obtain.

5. Member Announcements: Amy Young requested that ICC members insert the revised ICC Strategic Plan in their Member Handbooks. Zulmira Allcock reported that Massachusetts Early Intervention Consortium (MEIC) representatives to the ICC had met earlier in the morning to discuss repeated concerns about duplication of services when families choose to receive EI services while also receiving therapy services through hospital rehab clinics that can cost three or four times as much as EI does. It would be more cost effective if insurance companies would direct families to EI and then advocate for an EI rate increase to improve program viability and ability to recruit personnel. If eligibility becomes more strict, then more children will receive the more expensive service. Step one is to determine how prevalent this problem really is.

Amy Young and Darla Gundler are on their way to a conference at George Washington University titled “Using Wisdom Based Practice.” It is focused on evaluating outcomes and is

potentially more effective than best practice approaches. **Judith Nest-Pasierb** reported that Mass Health is undergoing an enormous database conversion that will be fully implemented 9/29/08. Providers are strongly encouraged to attend the training sessions that are being provided. Steve McCourt agreed to email training dates to EI providers. **Zulmira Allcock** announced that the MEIC Annual Conference brochure is available. The conference will be held May 7-8 in Marlboro. **Karin Lifter** noted a reception to be held on April 2, 2008, during the Division for Early Childhood Conference in Boston. The reception is on April 2nd. DEC does not yet have a strong presence in Massachusetts; many people are interested in seeing a chapter formed here. **Pat Cameron** reported that a new Family Guide in English, Spanish and Portuguese is available on the EEC website at www.eec.ma.us. EEC has written a grant for Hilton Foundation funding for Massachusetts to become a Birth to Five Special Quest Leadership State. Initially this was an infant-toddler Early Head Start initiative, now expanded to include children up to five. It features professional develop toward successfully including children with special needs in community life. Pat also announced that Commissioner Anne Reale has resigned her post in anticipation of the appointment of Paul Reville as the new Massachusetts Secretary of Education. This represents a huge loss to the early childhood community. Amy Kershoff is now Acting Commissioner and Anita Moeller is the Division Director.

6. Sharon Walsh, National Early Childhood Consultant – A National Perspective: Darla Gundler will email the slides from Sharon’s presentation to ICC members. Sharon described the impact of the presidential election on everything that is going on in Congress. This, coupled with the President’s intention to veto some major legislation that would be of interest to the EI and health care communities means that little progress can be made in coming months. Sharon also reviewed the status of state and individual program performance requirements that apply to federally funded programs; they are much like the goals in an individual child’s IFSP. Whereas achievement of children in elementary school can be measured somewhat objectively, programs like Parts C and B typically receive ratings of “performance not demonstrated.” Prospects for budget increases in the coming year are not encouraging.

7. Celebration of Ron Benham’s 25 Years with the Department of Public Health: Patti Fougere thanked Sharon Walsh for her presentation and then revealed the “Big Surprise.” Ron Benham has been with DPH for 25 years and so very much has been accomplished. Darla Gundler had prepared a wonderful slide show capturing historical and present vignettes of Ron’s many achievements on behalf of young children in this state and across the nation. Attendees and special guests then shared moving tributes to Ron’s efforts, his compassion, and his support of parents and professionals at all levels of the system. He “listens, hears, perseveres and acts.” “We rest on your shoulders and you lift us up.” People recapped the early days of EI programs in Massachusetts, the initial formation of the ICC and the MEIC. Ron expressed his surprise and appreciation, saying he makes no apology for the level of commitment to young children and their families. “I am enormously proud of what we have done together. To parents: I hope you are proud of us, too.”

8. The ICC Meeting adjourned at 2:45 P.M.

Special Note: The ICC Meeting originally scheduled for May 8, 2008, will not be held. The next meeting of the ICC will be on June 12, 2008.

