

**New York State Early Intervention Coordinating Council
Minutes – December 15, 2022**

Agenda Item	Discussion	Action Items																																																
<p>Welcome</p>	<p>The following members/designated representatives attended the meeting:</p> <table border="1" data-bbox="466 251 1753 625"> <tr> <td>-</td> <td>Lynn Amell - Rochester</td> <td>-</td> <td>Cheryl Hogan</td> </tr> <tr> <td>X</td> <td>Jessica Benton</td> <td>X</td> <td>Leah Esther Lax</td> </tr> <tr> <td>-</td> <td>Marcelle Bichotte-Dunner - MARO</td> <td>-</td> <td>Lidiya Lednyak</td> </tr> <tr> <td>X</td> <td>Heidi Bond</td> <td>-</td> <td>Lynn Shea - Rochester</td> </tr> <tr> <td>X</td> <td>Raymond Bowman</td> <td>X</td> <td>Robin Stegman- MARO</td> </tr> <tr> <td>-</td> <td>Donna Bradbury</td> <td>X</td> <td>Angella Timothy</td> </tr> <tr> <td>X</td> <td>Bonnie Catlin</td> <td>X</td> <td>Elina Tsenter</td> </tr> <tr> <td>-</td> <td>Cheryl Schaefer Coppola</td> <td>X</td> <td>Antonia Weidner</td> </tr> <tr> <td>-</td> <td>Brigitte Desport</td> <td>X</td> <td>Marina Yoegel</td> </tr> <tr> <td>X</td> <td>Amy DeVito</td> <td>-</td> <td>Patricia Zuber-Wilson</td> </tr> <tr> <td>-</td> <td>Melissa Groth</td> <td></td> <td></td> </tr> <tr> <td>X</td> <td>Steven Held</td> <td></td> <td></td> </tr> </table> <p>Department of Health staff present: Zahra Alaali, Peter Baran, Diane Ginsburg, Mike Iorio, Marilyn Kacica, Kelli Lyndaker, Ken Moehringer, Ray Pierce, Jennifer Sandshaw, Arfin Shammi, Jessica Simmons, William Sacks, Dawn Smith, Yan Wu, and Bin Zhu.</p> <p><i>All references to the Department refer to the New York State Department of Health, BEI to the Bureau of Early Intervention, and EI to the Early Intervention Program.</i></p>	-	Lynn Amell - Rochester	-	Cheryl Hogan	X	Jessica Benton	X	Leah Esther Lax	-	Marcelle Bichotte-Dunner - MARO	-	Lidiya Lednyak	X	Heidi Bond	-	Lynn Shea - Rochester	X	Raymond Bowman	X	Robin Stegman- MARO	-	Donna Bradbury	X	Angella Timothy	X	Bonnie Catlin	X	Elina Tsenter	-	Cheryl Schaefer Coppola	X	Antonia Weidner	-	Brigitte Desport	X	Marina Yoegel	X	Amy DeVito	-	Patricia Zuber-Wilson	-	Melissa Groth			X	Steven Held			
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<p>Welcome</p> <p>Approval of Minutes</p>	<p>Steve Held, EICC Vice Chair, called the meeting to order at 10:15 a.m. and thanked Council Members for attending the Early Intervention Coordinating Council (EICC) meeting.</p> <p>The next EICC full Council Meeting will be Thursday, March 9, 2023, from 10:15 a.m. to 3:00 p.m. The next Executive Committee Meeting will be Wednesday, January 25, 2023, from 10:00-11:00 a.m.</p> <p>A motion was made by Heidi Bond and a second by Marina Yoegel to approve the September 15, 2022, meeting minutes. Eleven (11) members voted in-favor, none opposed, and one (1) abstained. The minutes from the September 15, 2022, meeting passed. An administrative error not acknowledging that Leah Esther Lax attended the September 15, 2022, meeting at MARO will be corrected in the meeting minutes.</p>	<ul style="list-style-type: none"> • The next full Council meeting will be March 9, 2023 • The next Executive Committee meeting will be January 25, 2023 • An administrative error will be corrected on the September 15, 2022, meeting minutes. 																																																
<p>New Business <i>Bureau Administrative Updates</i></p>	<p>Ray Pierce, Director, Bureau of Early Intervention (BEI), provided updates on the following items:</p> <ul style="list-style-type: none"> • EICC Meeting Dates in 2023: March 9, June 22, September 14, December 14 • Introductions and EICC Member Updates <ul style="list-style-type: none"> ○ Dr. Marilyn Kacica, Medical Director in the Division of Family Health (DFH) is attending on behalf of Kirsten Siegenthaler. 	<ul style="list-style-type: none"> • Bureau Administrative updates will be provided at the 																																																

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<p>New Business <i>Bureau Administrative Updates</i> <i>(continued)</i></p>	<ul style="list-style-type: none"> ○ William Sacks is in attendance as the lawyer for BEI. ○ Talina Jones resigned from the EICC and was thanked for her many years of service. BEI is working to recruit a new EICC Chairperson. ● The NYS EIP Online Professional Development Center has been unavailable to stakeholders. If a Service Coordinator (SC) requires training, send an email to BEI (beipub@health.ny.gov). For providers, in the interim, there are 17 self-paced courses on the BEI training webpage for credit towards the training requirements per provider agreement. ● EI Hub Project – Launch Date will be in 2023. BEI will send the field two (2) months’ notice before going live. Stakeholders were encouraged to continue to experience and work with EI-Hub in the Sandbox. ● The EICC letter recommending the 11% rate increase was submitted to the governor’s office, which confirmed receipt. ● Covered Lives - The Department is still working through the logistics of the Covered Lives Assessment but anticipates the Covered Lives payments to counties will flow by the end of the current fiscal year, April 1, 2023. ● BEI has been involved in audits: <ul style="list-style-type: none"> ○ The Office of the State Comptroller (OSC) audit is finishing. BEI has provided comments and expects a final published report in early 2023. Summary reports will be shared with the EICC when available. ○ The Office of Special Education Programs (OSEP) conducted an audit and meetings in November and December 2022. Summary reports will be shared with the EICC when available. ○ The Fiscal Audit Request for Proposal (RFP) is with OSC as of December 14, 2022. OSC now has up to 90 days for review. ● The EIP has joined a cross state cohort to develop an action plan to implement changes in mental health policies and practices for infants and early childhood in 2023. Will share action plan information in future meetings. ● The in-person public hearing about the EI proposed regulation amendments was November 7, 2022. Now processing and analyzing public comments about the regulations. The new regulations will add four (4) new mental health practitioners and reduce the number of hours of experience required to become an EI provider. Also, the regulations will clarify group services, collateral visits, evaluation session notes, service logs, service coordination, and the IFSP. ● Workforce Recruitment – BEI attended the NYS Psychological Association virtual conference as well as the Occupational Therapy Association in-person conference at the end of October 2022. On January 23, 2023, BEI will host a table at the Resource for Autism and Intellectual and Developmental Disabilities Expo in Albany. BEI will attend events to promote BEI if given advanced notice. 	<p>March 9, 2023, meeting.</p>
<p>Report of Department Activities <i>Annual Performance Report and State Systemic Improvement Plan (APR/SSIP)</i></p>	<p>Yan Wu (BEI Associate Director), Bin Zhu (Data and Program Evaluation Unit), Jessica Simmons (Training, Technical, and SSIP/Outcomes Unit), and Kelli Lyndaker (Provider Approval and Due Process Unit) presented the Annual Performance Report (APR) and State Systemic Improvement Plan (SSIP)(see presentation).</p> <p>The Annual Performance Report (APR) data for the program year 2021-2022, including the SSIP, will be submitted on February 1, 2023, to the Office of Special Education Programs (OSEP), which is housed in the U.S. Department of Education. The State determination will be received in June 2023. For the 2022 OSEP Part C Determination covering program year 2020-2021, NY scored 93.75%, which places it in the Meets Requirements category. This is a significant improvement from last year and highest percentage ever achieved by NYS. NYS improved in both results (87.5%) and compliance (100%) indicators.</p> <p>Data being submitted for Program Year 2021-2022 due February 1, 2023, was discussed.</p>	<ul style="list-style-type: none"> ● The APR will be submitted to OSEP on February 1, 2023

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	<p>Family outcome: Survey return rate 9%, more surveys still coming in and hoping to target 14%. This is an area that NY continues to strive to improve. BEI developed a brochure, received parent feedback about it, and is now considering including a quick response code. BEI is considering informing Service Coordinators (possibly via a webinar) about the importance of families filling out the survey.</p> <p>Family Directed Assessment – can work with MDE team and make sure assessment is family centered, maybe a brochure to help service coordinators and MDE team, trying to infuse trainings with Family Directed Assessment, looking for Family Directed Assessment form and ways to use the same language for consistency. There was a discussion about the disparities of families responding by race to the family outcomes survey. BEI is working with the Department’s Public Affairs Group (PAG) to see how to reach other races.</p> <p>Telehealth services: Regarding the question: “Would you accept telehealth if offered?” – how many who said yes were delayed services due to provider capacity issues? Rural areas would be good to get telehealth rather than no services. The Department’s Division of Family Health has a new Bureau focused on data and evaluation to look at the methodology for collecting data. There was a suggestion to change some of the language – “family refusing,” which puts the blame on the family and could have a negative connotation to “opted out”; EI has been about providing services in-person. Questions regarding whether there have been any additional data about families having the resources to participate in telehealth centered on whether the family lacked the ability to have access to technology versus the families’ refusal to use it if it were provided.</p> <p>Timely Service Initiation questions included: Will the data be far below what has been done in the past? Would drop here move us to needs to improve? We will probably lose both points here. What are the national vs NY IFSP timely service initiation data? We will look at all states when data is published. Staffing of the EI program has been discussed with OSEP.</p> <p>A motion was made by Steven Held and a second by Elina Tsenter to approve the Annual Performance Report (APR) as the EICC’s annual legislative report and to submit it to OSEP. Twelve (12) members voted in-favor, none opposed, no abstentions. The motion passed.</p>	
Lunch Break	12:00 p.m. to 12:34 p.m.	
<p>New Business (<i>Continued</i>) <i>Transportation Update</i></p> <p><i>Telehealth Guidance</i></p>	<p>Kenneth Moehringer, Fiscal Planning and Policy Unit, provided updates:</p> <p>Transportation cost study done to estimate cost of one-way trip for children to EI services. Compared three (3) methodologies. Rate proposal to be sent to the Office of Health Insurance Programs (OHIP). If accepted, BEI will have to draft a Medicaid State Plan Amendment (SPA) to increase the rates. Then the SPA would go on to the Department of Budget (DOB) and CMS for approval.</p> <p>Current Transportation Claiming stated that all service authorizations for transportation services should be end dated as of 8/31/2022, any new services should be started as of 9/1/2022, and reflect round trips in NYEIS. At this point, for fairness, counties will be allowed to enter claims into NYEIS for services starting 9/1/2022 through 12/31/2022 paid at the agreed vendor and Medicaid rates. Additional guidance will be forthcoming.</p> <p>Jessica Simmons, Training, Technical Assistance, and SSIP/Outcomes Unit, provided updates:</p> <p>At the request of the EICC, BEI is developing guidance for provision of EI services using telehealth. Document will articulate the expectations for using teletherapy throughout the EI Program including service coordination, evaluation,</p>	

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<p><i>EIP Promotional Campaign</i></p> <p><i>Early Hearing Detection and Intervention (EHDI) Update</i></p>	<p>IFSP development and delivery. The document being created will include background, identify potential benefits and barriers for parents and providers, and expectations. Policies and decisions to be made. Projected release of the document in the spring 2023.</p> <p>Lauren Miller, Data and Program Evaluation Unit, provided information:</p> <p>EIP Promotional Campaign is targeting two (2) groups: current providers and those currently earning their degree who could provide EI once they obtain their degree. Many promotions are being implemented such as digital banners, ads on social media platforms, search functions, out of home billboards, and ads placed in transit areas like bus stations, as well as ads that are placed in print in different journals.</p> <p>Zahra Alaali, Early Hearing Detection, and Intervention (EHDI) Coordinator, provided updates:</p> <p>Data for the 2022 year for the EHDI Program show that 96.7% of infants born this year received an initial hearing screening with only 27% of infants who didn't pass the screening received a diagnostic follow up. Around 58.5% of the children with hearing loss were enrolled in early intervention services. According to the CDC report, New York State has one of the highest lost to follow up rates nationwide and timely follow up is a major area of improvement. EHDI is in the process of hiring a Follow Up Coordinator who will provide technical assistance and training to health care providers; will mainly perform the hearing screening and the reporting requirements.</p> <p>The EHDI team has developed new technical assistance materials targeted towards health care professionals and services providers in New York State. They include best practices and recommendation, counseling, and health literacy and barriers. This document is currently under the department's review. Once it is approved, it will be posted online on the EHDI website.</p> <p>Family Based Initiative - Last year the Lexington School for the Deaf was selected to implement a statewide initiative targeted toward family of children who were deaf or hard of hearing. Currently, they are creating and developing educational materials and videos that cover initial hearing screening, diagnostic evaluation, and early intervention services.</p>	
<p><i>EICC By-Laws Review</i></p> <p><i>Open Discussion</i></p>	<p>Discussion of By-Laws postponed until the March 9, 2023, meeting.</p> <p>Open Discussion:</p> <ul style="list-style-type: none"> • OMIG audits and BEI regulations state that there are supposed to be a session note or progress note signed by the parent or the guardian, as well as a service delivery log that is signed (two separate documents). NYC merged documents. Follow up requested to come from BEI to OMIG. Can NYC share audit findings with BEI? • There may be places where they have sensory room/gym that are appropriate to where other children are. Could they be added as a community-based early intervention service? • The previous motion by the EICC of increasing the rate has been delivered to the Governor's office. BEI has not seen an official transmission from Department of Health to the other agencies supporting the rate increase yet. When BEI receives confirmation, it will be shared with the EICC. 	<ul style="list-style-type: none"> • Discussion of the By-Laws was postponed until the March 9, 2023, meeting

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<p>Report of Taskforce Activities <i>Provider Workforce Capacity Task Force (including Competency-Based Training and Telehealth) Update</i></p>	<p>Marina Yoegel, EICC County Member, EIO Westchester County, Task Force Chair, provided updates:</p> <p>The task force is looking to expanding its members and adding a Co-Chair. Task force yearly recommendations and outcomes were discussed. Key milestones included looking at specific competencies. Also, work on a draft companion document detailing training requirements was discussed. Once BEI completes the final review of the companion document, the task force can begin to develop content for the webpage off the NYS EI main website. That webpage would be a central place where someone who was interested in providing EI services or a current provider in the workforce, could find more information about early intervention, competencies, and trainings. The website could also include conferences, the competency document, and a companion document. There needs to be a review of the wording in current regulations across disciplines regarding ensuring that field work placements in EI settings could count towards certification and licensure.</p>	<ul style="list-style-type: none"> • Task Force updates will be given at the March 9, 2023, meeting
<p><i>Rate Setting Methodology Task Force Update</i></p>	<p>Steven Held, EICC Vice-Chair, Task Force Chair, provided Rate Setting Methodology Task Force updates:</p> <p>Discussion began around a proposed change of geographic regions from sixteen (16) to three (3). Members discussed hard-to-reach areas in Upstate NY based on travel to remote areas as well as costs of parking and areas that are not traditionally served in NYC. EIO's and EIO/Ds know the hard-to-reach areas that providers are willing to serve or not. May develop a survey for the EIO or EIO/Ds about these issues. Other discussion was around the discrepancy that some municipalities have a thirty (30) minute Basic billing increment, and some have forty-five (45) minutes. May want to consider tying future increases to Medicaid, then they will be consistent with CMS. May be the eventuality of having fifteen (15) minute units that are paid for like how CMS is engaged right now. Will be a long-term discussion, not a short-term fix. Ongoing discussion to be had regarding an equalization process for rates for all EI professionals.</p>	
<p><i>EI Hub Update</i></p>	<p>Paula Van Meter, Ryan White, and Paul Ross, PCG, provided EI Hub updates:</p> <p>Discussion targeted topics of preparing for the transition to the EI-Hub, training resources, and an update on the Sandbox learning environment. Launch date has not been announced but BEI and PCG will provide approximately two (2) months' notice before the launch date. Data migration continues to be challenging – providers can help by making necessary updates to NYEIS data to ensure information is current and accurate when migrated. The Learning Management System (LMS) contains a training index that will show where the current training aids are located. The Sandbox learning environment offers the opportunity to experience the EI-Hub. Resources and surveys to support Sandbox use were discussed.</p>	<ul style="list-style-type: none"> • An update on the EI Hub will be given at the March 9, 2023, meeting
<p><i>PCG (State Fiscal Agent - SFA) Update</i></p>	<p>Paula Van Meter, PCG, provided State Fiscal Agent update:</p> <p>There are increases in escrow and Medicaid since a year ago (commercial down significantly due to Covered Lives). Extraordinary circumstances are down to a total of 1.06% of claims that are over 100 days. Medicaid denials are still the number one reason people contact the call center. PCG will continue to update those and see if there's new Medicaid information, they can provide in 2023 that will be useful.</p>	<ul style="list-style-type: none"> • An update from PCG will be given at the March 9, 2023, meeting
<p><i>Fiscal Agent Payment Data Update</i></p>	<p>Kenneth Moehring, Fiscal Planning and Policy Unit, provided Fiscal Agent Payment Data update:</p> <p>There was a 12% increase in child enrollment from 43,400 children to 48,583 when comparing 2021 to 2022 in the third quarter. This data puts NYS back to pre-pandemic enrollment levels. There were about a 2.5% increase in active</p>	<ul style="list-style-type: none"> • An update from the Fiscal Agent Payment Data will be given at

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	<p>providers who are billing; however, this increase does not correlate with the increase in child enrollment. More than 98% of claims submitted in the most recent quarter, quarter three, were paid in full. This is an increase from prior quarters. More than 90% of the claims are being paid within 58 days. Small amount of claims still going to commercial insurance – for Assistive Technology Devices, insurance plans will see the claim directly.</p>	<p>the March 9, 2023, meeting</p>
Future Agenda Items	<p>Agenda items suggested by EICC members for future EICC meetings include:</p> <ul style="list-style-type: none"> <li style="display: inline-block; width: 45%;">• Clarification of BEI regulations regarding session notes, progress notes, and service delivery logs <li style="display: inline-block; width: 45%;">• Telehealth <li style="display: inline-block; width: 45%;">• Sensory room/gym as a community-based service <li style="display: inline-block; width: 45%;">• Proposed EI Regulations <li style="display: inline-block; width: 45%;">• Transportation Guidance <p>EICC Members can also submit future agenda items to BEI via email.</p>	
Public Comment	<p>No public comments were provided at the meeting.</p>	
Adjournment	<p>The meeting was adjourned by Steve Held at 2:52 p.m.</p>	