

NEW YORK STATE DEPARTMENT OF HEALTH
DIVISION OF FAMILY HEALTH
BUREAU OF EARLY INTERVENTION

FAU 0807280337

REQUEST FOR INFORMATION (RFI)

I. PURPOSE OF RFI

The purpose of this RFI is to determine the existence of entities that:

1. have a professional relationship with, and can promote utilization of, local community dispute resolution centers in all 62 counties in New York State,
2. are currently authorized (or have the potential to be authorized) by the centers to act on behalf of the centers to enter into contracts with public entities,
3. facilitate the services provided by the centers,
4. disseminate information and training to the centers, and
5. ensure that the centers meet community needs.

Community dispute resolution centers (CDRCs) are defined as centers which provide conciliation, mediation, arbitration or other forms and techniques of dispute resolution, are operated pursuant to contract with the chief administrator of the courts of New York, and are compliant with all provisions of Article 21-A of the New York State Judiciary Law which defines the Community Dispute Resolution Centers Program (CDRCP). The law establishes the CDRCP to be administered and supervised under the direction of the chief administrator of the courts.

Part C of the Individuals with Disabilities Education Act and New York State Public Health Law mandate the availability of mediation services for the New York State Early Intervention Program (EIP). Mediation is a voluntary, non-adversarial process by which the parent of a child and the early intervention official or designee are assisted in the resolution of a dispute. Ensuring the availability of mediation services in compliance with federal and state law and regulatory requirements means that:

- Mediation services must be available through a statewide system.
- Mediation services must be available from community dispute resolution centers upon the written request of the parent and/or early intervention official and the mutual agreement of the parent and the early intervention official to participate in mediation.
- The center, immediately upon receipt of a mediation request, must contact the parent and early intervention official to discuss the mediation process, a convenient site and time for the session, and the potential need for interpretative or alternative communication services.
- The center must make appropriate arrangements for and convene the mediation proceedings within two weeks of receiving the request.

- Mediation proceedings must be convened at a date, time, and location convenient to the parent.
- The mediator and center must maintain the confidentiality of all personally identifiable information as required by state or federal law or regulation.
- Mediation must be at no cost to the parent.
- The mediation process must be completed within 30 calendar days of the receipt of the request by the center.
- The mediator must document the terms of the negotiated agreement, including a list of unresolved issues, in writing and obtain the signatures of the parent and early intervention official.
- The mediator must, whenever feasible, provide the written agreement in the dominant language of the parent or other alternative mode of communication.
- The mediator must forward a copy of the agreement to the center, which must ensure that the parent, early intervention official, and service coordinator receive a copy of the written agreement.
- If the parties are unable to reach an agreement, the mediator must inform the parent of the availability of the impartial hearing procedures.
- Mediation records must be maintained by the center for a period of at least six years.

II. BACKGROUND

The New York State Department of Health Bureau of Early Intervention (BEI) is responsible for general administration, supervision and oversight of New York State's EIP. Its mission is to identify and evaluate those children whose healthy development is compromised and provide for appropriate interventions to improve child and family development.

The EIP is administered locally by 57 counties and New York City. Children are referred to receive a timely evaluation. All counties and New York City are required by New York State Public Health Law to appoint a public health official as their Early Intervention Official (EIO). The EIO is the single point of entry for children into the Early Intervention Program. All children under three years of age who may need early intervention services must be referred to the EIO. If a child is found eligible, an Individualized Family Service Plan (IFSP) is developed and services are provided.

If a parent disagrees with the determination of the evaluator or the local early intervention official with regard to the eligibility for or provision of early intervention services or if the official fails to act within the specified time period as required, a parent may make a request in writing for mediation or an impartial hearing to resolve the dispute. New York State Public Health Law §2549(2) specifies that when a request for mediation is made to the early intervention official for the municipality in which the child resides, the municipality must "notify a **community dispute resolution center** designated by the commissioner to provide mediation services for such municipality".

III. INFORMATION REQUESTED

BEI is seeking to identify entities and organizations - whether commercial, academic, governmental, or other not-for-profit - that have a professional relationship with, and can promote utilization of, local community dispute resolution centers (CDRCs) that provide mediation services for the EIP in all 62 counties in New York State. Such entity must be currently authorized (or have the potential to be authorized) by the CDRCs to act on behalf of the CDRCs to enter into contracts with public entities, facilitate the services provided by the CDRCs, disseminate information and training to the CDRCs, and ensure that the CDRCs meet community needs.

Specific information should include and be presented in the following format:

- Organization name
- Contact person's name, title, phone number, fax number, and e-mail address
- A brief description/history of the organization
- A detailed description of the organization's specific relationship with the CDRCs and its ability to act on behalf of all CDRCs in all 62 counties in New York State, to enter into contracts with public entities, and to facilitate the services provided by the CDRCs.

IV. RESPONSE DOCUMENTS

Any questions prior to submission of responses should be sent in writing, via e-mail, to Cori Lewis (cls09@health.state.ny.us) with a copy to Terry Ayers (txb03@health.state.ny.us).

Responses should be written documents submitted on paper, via fax, by 4:00 PM Eastern Standard Time on October 3, 2008 to:

Cori Lewis
Bureau of Early Intervention
New York State Department of Health
Corning Tower, Room 287
Albany, New York 12208
Fax: 518-486-1090

Or via e-mail by 4:00 PM Eastern Standard Time on October 3, 2008 to:

Cori Lewis
cls09@health.state.ny.us

With a copy to:

Terry Ayers
txb03@health.state.ny.us

V. RESULTS

THIS IS NOT A SOLICITATION FOR PROPOSALS. Information gathered from responses to this RFI *may* be used by the New York State Department of Health at an unspecified future time to develop a request for proposals from potential agencies to manage the mediation activities for the New York State EIP.