Federal regulations require states to ensure that early intervention services identified on an eligible child's IFSP are provided as soon as possible to the child and family. In New York State (NYS), "as soon as possible" is defined as no later than 30 days from the date of the IFSP meeting. The Individuals with Disabilities Education Act, requires states to have a State Performance Plan in place that describes efforts to implement the requirements of the Early Intervention Program and to report annually their performance for indicator #1, "Percentage of children receiving services 30 days or less from the date of the authorizing Individual Family Service Plan (IFSP)." Each municipality's data contributes to the entire state's performance; therefore, it is essential that municipalities report valid and reliable data and use a consistent method to document and report the data for this indicator.

Municipalities should ensure that source documents supporting the reasons for delays in the timely initiation of services are maintained in the municipal children's records. The supporting documentation can be utilized for self-assessment and the reporting of data, and can be examined upon audit. This should include accurate documentation of reasons that services are delayed and all attempts made by the service coordinator, municipality and service provider(s) to mitigate a delay in the timely implementation of services, as well as written policies and procedures for documentation of child records and data validation.

The New York Early Intervention System (NYEIS) allows for the collection of data related to the timely implementation of services. Delays in the timely implementation of services include both discountable and non-discountable reasons. The attached document provides a list of potential reasons in NYEIS that a municipality, service coordinator, or service provider may select to record the late initiation of services. The document is divided into two sections. The first section identifies "up-front" reasons for a delay in the timely initiation of services. These reasons must be documented on the IFSP under the **late services** cluster. This cluster must be completed when the IFSP team knows in advance if some or all services will be delayed beyond 30 days after the start date of the IFSP period. Municipalities must inform service coordinators of their responsibility to facilitate and document a discussion of potential reasons for the late initiation of services at the initial IFSP meeting and at any subsequent IFSP meeting where an additional new service will be implemented

The second section identifies potential reasons for a delay in the timely implementation of services that have occurred unexpectedly. If an individual service is delayed unexpectedly greater than 30 days from the authorizing IFSP, a task is generated to the provider's service authorizations work queue to supply a late reason. The task to the provider to identify a delay reason for the start of services is not generated in NYEIS until the provider claims against the service authorization for the first service delivered to the child/family. It is important that provider claims be submitted in NYEIS chronologically, so that a late start of service is not incorrectly identified by the system.

In the event that a provider is not a NYEIS user, this task would be routed to the EIO/D. The reason entered by the provider for the late start of services is then stored on the service authorization in NYEIS. It is strongly recommended that municipalities provide direction to their contracted providers regarding the importance of accurately and promptly completing this task in NYEIS to document the reason(s) for late start of services, as this date will be considered as part of the municipality's local determination. The service coordinator should also fully document in their service coordination notes all circumstances that affect the timely start of services. Additional guidance is also included to provide municipalities, service coordinators, and service providers with consistent reasons to explain the delayed implementation of services.