

ARIZONA STATE SENATE

RESEARCH STAFF



KAYTIE SHERMAN
ASSISTANT RESEARCH ANALYST

MICHAEL MADDEN
LEGISLATIVE RESEARCH ANALYST
HEALTH & HUMAN SERVICES COMMITTEE
Telephone: (602) 926-3171

TO: MEMBERS OF THE SENATE
HEALTH & HUMAN SERVICES COMMITTEE

DATE: March 8, 2024

SUBJECT: Strike everything amendment to H.B. 2137, relating to developmental delays;
infants; toddlers

Purpose

Requires the Department of Economic Security (DES) to provide families that participate in the Arizona Early Intervention Program (AzEIP) with information on the identified priorities, needs and outcomes for the infant or toddler and related services available, as well as to inform the family if a service or program is not covered under the Individuals with Disabilities Education Act, Part C.

Background

The Individuals with Disabilities Education Act (IDEA) governs how states and public agencies provide early intervention, special education and related services to eligible infants, toddlers, children and youth with disabilities. Part C of the IDEA was enacted by Congress to: 1) enhance the development of infants and toddlers with disabilities, to minimize their potential for developmental delay, and to recognize the significant brain development that occurs during a child's first three years of life; 2) reduce the educational costs to society by minimizing the need for special education and related services after infants and toddlers with disabilities reach school age; 3) maximize the potential for individuals with disabilities to live independently in society; 4) enhance the capacity of families to meet the special needs of their infants and toddlers with disabilities; and 5) enhance the capacity of state and local agencies and service providers to identify, evaluate, and meet the needs of all children, particularly minority, low-income, inner city, and rural children, and infants and toddlers in foster care ([20 U.S.C. § 1431](#); [U.S. Department of Education](#)).

DES serves as the lead agency in Arizona for the coordination of early intervention programs and services for infants and toddlers with developmental delays. DES, the Department of Education, the Department of Health Services, the Arizona Health Care Cost Containment System Administration and the Arizona Schools for the Deaf and Blind must enter into one or more intergovernmental agreements to develop and implement a comprehensive, coordinated system of early intervention programs and services for infants or toddlers with, or at risk, of developmental delay as well as their families ([A.R.S. § 41-2022](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires DES to provide families with information on the identified priorities, needs and outcomes for the infant or toddler at an initial individualized family service plan meeting for early intervention programs and services, and at every subsequent review meeting.

2. Specifies that the required information must include information for additional community resources that do not qualify for coverage under Part C of the IDEA.
3. Directs DES to:
 - a) develop a community resource guide that is available to families electronically and to show families how to access the electronic guide or provide print copies if the family cannot access the guide electronically;
 - b) develop a process for including community resources that are offered in Arizona for the targeted early intervention population;
 - c) update the electronic guide with new resources, as necessary; and
 - d) develop a process to allow a family that has been referred to early intervention programs and services to request a different service coordinator.
4. Requires the resource guide to include information on:
 - a) intervention service options that may not be covered under Part C of the IDEA;
 - b) therapy services, including occupational therapy, physical therapy, applied behavioral analysis and speech-language pathology; and
 - c) technology services and language acquisition resources.
5. Requires the information on technology services and language acquisition resources to include:
 - a) hearing aids;
 - b) cochlear or brainstem implants;
 - c) bone-anchored hearing aids;
 - d) other assistive devices;
 - e) American sign language;
 - f) listening and spoken language;
 - g) manually coded English;
 - h) cued speech; and
 - i) speech reading.
6. Specifies that a family must be informed if a resource in the community resource guide is not covered under Part C of the IDEA.
7. Allows a family with an infant or toddler identified with hearing impairment to choose to engage an audiologist to provide professional and clinical information during the initial or subsequent family service plan meeting.
8. Requires agencies that participate in the AzEIP system to have an updated copy of the electronic community resource guide available for families.
9. Requires AzEIP intergovernmental agreements that are developed and implemented by DES to include a process to allow parents to choose a natural environment for infants and toddlers with disabilities to participate in services.
10. Becomes effective on the general effective date.