

ICC MISSION STATEMENT

"The mission of the Utah Interagency Coordinating Council for Infants and Toddlers with Special Needs and Their Families (ICC) is to assure that each infant and young child with special needs will have the opportunity to achieve optimal health and development within the context of the family."



**MINUTES OF THE UTAH INTERAGENCY COORDINATING COUNCIL (ICC)  
FOR INFANTS AND TODDLERS WITH SPECIAL NEEDS AND THEIR  
FAMILIES**

**Utah Department of Health, Division of Community and Family Health Services**  
44 North Mario Capecchi Drive, Salt Lake City, Utah, Main Conference Rooms  
March 25, 2009 // 9:30 a.m. – 12:00 p.m.

**Attendance:** Debbie Ballard, Eileen Chamberland, Carol Cerna, Tandi Cichoski, Joyce Dolcourt, Louise Dunn, Susan Fox, Debbie Justice, Jana Homer, Todd Houston, Lisa Madsen, Kimberly Morris, Sue Olsen, Harper Randall, Dinah Weldon, Shylo Wheeler

**Excused:** Cheryl Alexander, Dr. Paul Carbone, Sen. Allen Christensen, Jeff Dean, Colleen Fitzgerald, Kreig Kelley, Connie Nink, Gina Pola-Money, Jenny Simmons, Rep. Steven Urquhart, Patti VanWagoner.

**Other Attendees:** Marla Neff

**BWEI Staff:** Brent Baum, Danelle Holdaway, Catherine Hoelscher, Vanya Mabey, Lynne MacCleod, Carma Mordecai, Susan Ord, Deb Titmus.

- I. **Welcome and Introductions** – Meeting conducted by Debbie Justice. Members and guests welcomed.
  
- II. **Public Hearing Period:** Disclosure of Directory Information from Part C to Part B. Reviewed proposed BWEIP policy with OSEP recommended modifications. IDEA child find requires disclosure of limited directory information to Part B regarding children participating in Part C who may be eligible for Part B preschool services. Baby Watch has developed a policy to inform parents of the disclosure of directory information to the Local Education Agency (LEA) and provide opportunities for the parent/guardian to decline the disclosure. Discussed the interface between Part C BTOTS data base and the Part B TEDI data base in relation to the policy. Currently directory information will pass after the child turns 2 years of age. Several persons requested that the date of directory information transfer be extended to occur when the child reaches 27 months of age to fit proposed regulations regarding transition planning and to allow families more decision time. Suggestion to revise form at item #5 to clarify signature requirement. Decline can be forever, but released information, once released, cannot be retracted. Suggestion that an additional form for the parent to sign to opt out be permitted and not restricted solely to a block on the IFSP and to clarify language in the italicized section to delete reference “until the child’s second birthday”. Susan Ord will consider the comments provided at this public hearing for possible policy revisions. The policy will be submitted to OSEP for approval. Subsequently, instructions will be given to providers for implementation.

III. **Minutes** – Read and approved minutes of January 28, 2009.

IV. **Public Comment Period** – No public comments received.

**Membership:** Dr. Paul Carbone, Jenny Simmons, & Sen. Steve Urquhart are nearing the end of their membership terms (September, 2009). Tandi Cichoski and Eileen Chamberland are nearing the end of their terms as members of the Tri-Chairs (September, 2009). The ICC also needs to replace 1 provider representative and the DSPD representative. The ICC members were requested to begin considering nominations for Tri-Chairs and for new members.

V. **FUN/Advocacy Committee:** Joyce Dolcourt gave the legislative report. HB 184 dealing with income tax credits for families who have members with disabilities did not pass. Important features of the bill were that it created a credit not a deduction; limited to families at 100% of poverty or below; included a \$2 million fiscal note with monies to come from the State Uniform School Fund. Some form of the bill may be reintroduced at the next session. SB 343 which dealt with insurance payments for persons with autism failed because of the issue of mandated coverage and overlapping coverage. Important features of the bill were that coverage would be through the high risk pool; insurance must have been purchased prior to, or within 2 months of, birth. HB 378, known as circuit breaker amendments, passed and will give a \$1,000 property credit to low income elderly persons (retirement age) who care for a child with disabilities. HB 340 dealt with respite care assistance funds; gives the Utah Disabilities Council fund raising permission, and will provide grants to families for respite care. HB 306, signed by the governor eliminates the policy board for persons with disabilities. Disability advocates are hoping for an executive order to reestablish the board. Joint HB 171/SB 225, eliminates funds for legal immigrant children. Funding is more complicated this year and many agencies are still figuring out their budgets which returned to 2008 levels of funding. Many agencies expect cutbacks as well as reductions in Medicaid benefits. Suggestion that the finance committee explore for possible action.

VI. **CSPD/Service Committee:** The committee plans to meet with providers to discover their training needs. The committee also proposed joining with the Critical Issues Conference in the years that the Pre-School Conference isn't held. The committee's discussion at the May ICC meeting will focus on the types of training that are needed or desired.

VII. **Bylaws:** The committee has met many times over the past year. Some significant changes in the proposed version include: Article III, Section 5, () replaced by Art XII to include language from the proposed regulations. Art IV §6 adds as a possible member a representative from the Legislative Fiscal Analyst Office. Art III §6 removes ICC functions removed from the proposed regulations; §7 disputes removed from the proposed regulations; §8 to conform to the proposed regulations. Length of term for members has been changed to 4 years, committee descriptions have been expanded; dispute resolution has been expanded. Suggestion to add the Early Hearing Detection and Intervention (EHDI) program as a member. ICC consent on major policy decisions is a key issue for discussion and agreement during the May ICC meeting. Note in Art IV §6a that the Utah Disabilities Council has replaced the Governors Committee on Persons with Disabilities. Clean copy prior to May meeting, for possible vote. The full ICC is

solicited to provide commentary on the proposed bylaws. Please send your comments to Brent Baum, ICC State Contact, who will reflect them back to entire ICC as received. Please be prepared to vote on the proposed bylaws at the May ICC meeting. Please see the side-by-side hand out.

#### VIII. Agency Report/ BWEI Update

- Legislative Update: The slated cut for BWEI in 2009 of \$800,000 did not happen thanks in part to the support of parents and providers. The BWEI base budget for 2010 and years following will be cut by \$292,000. BWEI does not plan to reduce the eligibility requirements as was mentioned in the line item budget document prepared by the fiscal analyst.
- ARRA Funds: (stimulus package) Both Parts C and B received funding. Utah's BWEI received \$5,087,894 to be disbursed ½ in March and ½ on Sept 30, 2008. Funds will be distributed through existing formulas and pipelines. ARRA funds are a 1 time allocation and do not reset a state's base allocation. No guidance from OSEP on use of funds or reporting requirements has yet been released. There will be a federal fund for grants to states for expansion of Part C to include birth to 5. In Utah ARRA monies will be requested through the governor's office. Susan Ord will alert the ICC if contact with the governors office regarding the application for funds is needed. Motion that the ICC support BWEI in application for ARRA funds was seconded and approved.
- Ideas for spending: The ARRA may be able to be used to give temporary fiscal support to programs such as:
  - i. Boost provider contracts pending stipulations of federal disbursement.
  - ii. BTOTS enhancements.
  - iii. Assistive technologies purchases.
- Next steps;
  - i. Review needs and contracts with the intent to keep whole and enhance rates.
  - ii. Review BTOTS considering new uses for the data base,
  - iii. Obtain provider input regarding gaps, needs and dreams.
  - iv. Explore possible partnerships with other agencies,
  - v. Solicit input from ICC sub-committees. They should meet and make their recommendations as soon as possible.
- Suggestion that ARRA funds be used to enhance services to families (increased program rate). Susan will keep ICC updated regarding the application process and guidance regarding the use of ARRA funds..

IX. **Contracting Procedures**: The providers group requested through the Tri-Chair that the ICC work with BWEI to stabilize contracting within the EI system. With the new round of contract awards BWEI will implement the following practices: Non-governmental entities will receive a 1 year sole source contract with option to renew for 4 years; Governmental entities will have the option to renew for 4 years during the next contracting cycle. If required, the ICC in its role as a governor's advisory council will advise the governor regarding allocation of funds and designation of the lead agency for early intervention.

- X. **Transition Procedures:** Susan Ord and Connie Nink are planning to develop a new Part C – Part B interagency agreement as soon as possible. With the postponement of Federal regulations the ICC encourages local providers to go ahead and update local Transition Agreements with LEAs. Suggestion that Early Head Start and Migrant Head Start be partners in the state agreement or other agreement regarding transition issues.
- XI. **May meeting:** The May meeting will be extended to 2 p.m., please bring your lunch. The ICC will discuss the proposed bylaws and possible uses of the September distribution of ARRA funds. The ICC sub-committees will have a significant breakout session. Topics for the sub-committees may include: Reviewing the ideas derived from the IT training and possible autism screeners (Service Delivery); EI training enhancements and curricula (CSPD); EI Conference.
- XII. **Adjournment:** The meeting adjourned at 11:55 p.m.

**APPROVED AS TO FORM:**

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Debbie Justice, for the ICC Tri-Chair

**MINUTES SUBMITTED BY:**

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Brent W. Baum, ICC State Contact