

Dear Colleague,

The New York State Department of Health (Department) Bureau of Early Intervention is pleased to announce the adoption of the Early Intervention regulations into public record on February 14, 2024. The list below highlights the initial changes and implementation dates.

1. **For individual approval, the number of documented clock hours of experience delivering services to children under five years of age has been reduced from 1,600 hours to 1,000 hours (Effective Date: 2/14/24).** This will be implemented by Department staff as they review all applications.
2. **Supplemental Evaluations are no longer allowed as part of the Multidisciplinary Evaluation (Effective Date: For all children referred after 4/1/24).**
3. **Session notes must follow all requirements as outlined in EI Regulation 69-4.26 (b)(13)(c) including the date the session note was created (Effective Date: 4/1/24).** This section also clarifies language regarding written orders applying to multidisciplinary and supplemental evaluations, and that parents should sign service logs and not session notes, for clarity.
4. **Supplemental hearing evaluations are now permitted prior to an Individualized Family Service Plan to determine hearing loss (Effective Date: 2/14/24).** This is allowed for infants who are referred due to a newborn hearing screening.
5. **Group Services changes in EI Regulation 69-4.30 (Effective Date: 9/1/24).** This will ensure children transitioning to the Committee on Preschool Special Education (CPSE) will not have an interruption of services on their current Individualized Family Service Plan and will allow sufficient time for agencies to plan for any changes logistically, as well as to allow counties time to plan for any changes or needs related to transportation of children who participate in Group Early Intervention Services.
6. **Licensed Mental Health Counselors, Licensed Marriage and Family Therapists, Licensed Psychoanalysts, and Licensed Creative Arts Therapists have been added as qualified EI personnel (Effective Date: 6/3/24, date of EI-Hub launch).**
7. **School Psychologists are no longer allowed to provide Early Intervention (EI) services after June 30, 2024.** This is a deadline set by statute.
8. **Updated Timeline for completion of service coordination training in EI Regulation 69-4.4(b) (Effective Date: 2/14/24).** Training must be completed within 4 weeks after Department approval. Service coordinators shall participate in the introductory service coordination training session sponsored or approved by the Department of Health within four weeks following direct or contractual employment as an early intervention service coordinator or Department approval, whichever is earlier, and such training shall be completed, documented and submitted prior to furnishing services.
9. **An agency seeking approval is now required to have in its employment the personnel required in Early Intervention Regulation 69-4.5, before being granted Department approval (Effective Date: 2/14/24).** This includes a full time EI Program director and having a minimum of two qualified personnel or service coordinators who meet qualifications established in section 69-4.4, in addition to the early intervention program

director, each of whom provides evaluations, service coordination, or services to individuals with disabilities for a minimum of twenty hours each per week.

10. **Comprehensive Quality Assurance Plan requirements for agencies (Effective Date: 2/14/24).** An overall Quality Assurance Plan will be developed and overseen by the agency director or county EI Official, as applicable. There is no longer a requirement to employ the Qualified Professional overseeing each profession in the Quality Assurance Plan.
11. **Licensed behavior analysts and certified behavior analyst assistants are recognized as qualified EI service providers (Effective Date: 6/3/24, date of EI- Hub launch).**
12. **“Frequency” is clarified to mean the number of days or sessions per week the service will be provided (Effective Date: 2/14/24).** Current service authorizations do not need to be amended.

Current regulations have been updated and are available on the following website:

[Title: SubPart 69-4 - Early Intervention Program | New York Codes, Rules and Regulations \(ny.gov\)](#)

Questions regarding this communication or the newly adopted regulations may be sent by email to one of the following:

Bureau of Early Intervention - Provider Unit: Provider@health.ny.gov

Bureau of Early intervention - Technical Assistance Unit: BEIpub@health.ny.gov

Bureau of Early Intervention – Fiscal Unit: EIP.fiscal@health.ny.gov