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**Reissued  
Early Intervention Memorandum 93-3**

**To:** Early Intervention Officials  
Interested Parties

**From:** Donna M. Noyes, Ph.D., Director  
Early Intervention Program

**Reissue Date:** January 2000

**Subject:** Respite Services

The state law which established the Early Intervention Program included provisions for respite services to eligible children (Public Health Law §2547). This memo provides instructions and guidance for early intervention officials in administering respite services.

1. What is respite?

Respite is temporary relief from caregiving responsibilities. It is intended to provide support to parents or other caregivers who may otherwise be overwhelmed by the intensity and constancy of caregiving responsibilities that may be necessary for a child with special needs. Respite may be provided in the child's home or another appropriate location. There is no required minimum or maximum frequency or duration for respite.

2. Who is eligible for respite services?

In order for a family to receive respite services, a child must first meet the eligibility criteria for the Early Intervention Program (i.e., the child has a developmental delay). If respite services are to be provided, they must be included in an eligible child's IFSP. DOH Early Intervention Program regulations (69-4.18) provide criteria to be considered in assessing when respite services are appropriate.

3. Who may provide respite services?

There is no DOH list of approved respite providers. Early intervention officials must use agencies and individuals with experience in respite service delivery under the Office of Mental

Retardation and Developmental Disabilities (OMRDD) Family Support Services Program. This includes family reimbursement approaches in which families select, train, and supervise respite care workers. Respite providers need not be licensed or certified professionals.

4. What rates should municipalities pay for respite?

The early intervention official in each municipality should use rates of payment or fees which are the same as are currently in use for respite services under OMRDD Family Support Services. By contacting their local Developmental Disabilities Services Office (DDSO), early intervention officials will obtain the most current information about OMRDD respite providers, models and payment levels. (A representative from the local DDSO is a required member of each municipality's Local Early Intervention Coordinating Council.)

5. How are funds for respite allocated?

To distribute federal funds presently available, DOH has allocated funds to municipalities on a population-based formula adjusted to reflect several statistical indicators of disability (e.g., low birthweight, prematurity). Future allocations of funds for respite will take into account the numbers of eligible infants and toddlers actually being served by municipalities.

6. How will municipalities be reimbursed for respite costs?

The Department of Health will reimburse municipalities for 100% of the amount expended for eligible children up to the amount in the attached table. Municipalities may claim reimbursement for respite costs through the same process as will be used for other non-Medicaid early intervention service costs. While state reimbursement for other early intervention services is not available to municipalities, by law, until after April 1 of the program year (July 1 to June 30) in which the municipality paid for the services, this lag in reimbursement will not be applied to respite costs reimbursed with federal funds.

7. What if the DOH funds run short?

When a municipality has obligated 50% of the available funds (see attached), the early intervention official should notify the Department of Health. This will allow DOH to monitor respite expenditures and assess the need to allocate additional funds for respite if available. In addition to federal funds allocated by DOH, state law provides that "subject to the amounts appropriated therefore," the state shall reimburse municipalities for 50% of the costs of respite provided to eligible children and their families with the approval of the EIO. At present, there is no provision in the state budget for such state reimbursement.

Questions about respite services may be directed to the Bureau of Early Intervention at 518-473-7016.