

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
DIVISION OF MANAGEMENT SERVICES**

Statutory Authority: 16 Delaware Code, Sections 210-218 (16 Del.C. §§210-218)

**GENERAL NOTICE**

**Birth to Three Early Intervention**

**Summary**

Birth to Three Early Intervention is required to update policies in order to be in compliance with Individuals with Disabilities Education Act of 2004 (IDEA) Part C regulations. These policies, while already in place, have been formalized, and they are required to go out for public participation and public hearing prior to submission of the FFY 2018 Part C grant application. The policies include:

1. Birth to Three System of Payments Policy
2. Interagency Agreement, including Child Abuse Prevention and Treatment Act (CAPTA) policy and procedures.

**Background**

Part C of the IDEA, regulations were revised in 2011, and outline requirements for State lead agencies to identify and coordinate available funding resources, put in place methods that define the financial responsibility of each agency providing Part C services, and submit a System of Payments policy with the State's IDEA Part C grant application. This includes the coordination of Medicaid, private insurance, and Part C funds. Part C of the IDEA also requires States to determine how children referenced in section 106(b)(2)B)(xxi) of The Child Abuse Prevention and Treatment Act (CAPTA) are to be screened, and referred to Part C (IDEA regulations 34 CFR §§303.120(b), 303.202, 303.510, 303.511(a)(2) and (b), 303.520, 303.521, 303.522, 303.523, 303.524, 303.525, 303.526, 303.527, and 303.528).

**Notice of Public Comment**

There will be two public hearings as required by the Public Participation policy:

January 18, 2017, 4:30 - 6:30 p.m.  
Herman Holloway Campus  
Main Administration Building, Room 198  
1901 North Dupont Highway  
New Castle, DE 19720

January 19, 2017, 10:00 a.m. - 12:00 noon  
Milford Child Development Watch  
18 North Walnut Street  
Milford, DE 19963

Copies of the proposed policies are available for review by contacting the Birth to Three office at 302-255-9134 (call collect from Kent and Sussex). Send your written comments to Birth to Three, DMS/DHSS, Main Building, Room H105, 1901 N. DuPont Hwy, New Castle, DE 19720 or fax to 302-255-4407.

**20 DE Reg. 662 (02/01/17) (Gen. Notice)**