

Early Intervention Colorado
A Family Guide to the Coordinated System of Payments
for Early Intervention Services

Each time the Early Intervention (EI) Colorado program gets your consent to provide Early Intervention (EI) services, the program is required under Part C of the federal Individuals with Disabilities Education Act (IDEA) to give you a copy of the Family Rights Brochure that explains parental rights to mediation, due process and the State complaint process. In addition, the State is required to provide the following information about the following no-cost protections regarding the coordinated system of payments for EI services:

Entitled services that are provided with state and federal funds and at no cost to you or your insurance...

The EI Colorado program under the Colorado Department of Human Services, provides or purchases the following functions and services at public expense and at no cost to you and your child, as required under the Part C of the IDEA:

- Implementing child identification requirements (helping families know about the EI program);
- Evaluation and assessment, including the functions related to post-referral screening, evaluation, and assessment (looking at all areas of the development of your child and learning about your family's concerns);
- Service coordination services (having someone in your local Community Centered Board (CCB) who helps you understand the EI program and to make sure you are able to fully participate in making decisions for your child's services);
- Administration and coordination of the activities related to the development, review, and evaluation of your child's Individualized Family Service Plan (IFSP) (If your child is found eligible for EI services, a plan is developed and your service coordinator will make sure the plan is reviewed with you as needed); and,
- The implementation of the procedural safeguards and other components of the statewide program of EI services (these are family rights that help you know what is happening and why you are an important participant in all decisions and steps).

No family fees...

The EI Colorado program does not charge family fees for EI services. If you wish to contribute to the cost of EI services you may, but there is no state requirement to do so.

If you have private health insurance...

Consistent with Part C of IDEA, the EI program may not use your private insurance for your child to pay for EI services unless you provide parental consent. This includes the use of private insurance if you are dually insured, because it is a requirement that private insurance is used before Medicaid.

Your consent must be obtained:

- In order to disclose your child’s personally identifiable information (PII) to the health insurance company to pay for the EI service(s) in the IFSP; and,
- For a child who has a non-qualifying plan as described below, at the start of billing for EI services and any time there is an increase (in how many times you have the service, how often the provider comes, or how long each session is) in the provision of services in your child’s IFSP.

You are responsible for any health insurance premiums but the EI Colorado program will pay co-pays and deductibles up to the cost of the EI service(s).

Colorado has two types of private health insurance plans: Qualifying and Non-qualifying:

- *Qualifying Health Insurance Plans*

Health insurance carriers who offer Qualifying Health Insurance Plans that are issued or renewed by companies regulated by the Colorado Department of Regulatory Affairs (DORA) are required to make payment for EI services as documented on an IFSP for eligible infants and toddlers. The code “CO-DOI” is printed on the insurance card for Qualifying Health Insurance Plans.

Qualifying Health Insurance Plans include the following protections for families:

- No requirement to pay co-payments;
- No requirement to meet an annual deductible before EI services will be paid for in full; and,
- EI services are not included in the total annual or lifetime benefit maximum for the child.

- *Non-qualifying Health Insurance Plans*

Non-qualifying Health Insurance Plans will have many different restrictions. If you or your child is insured by a Non-qualifying Health Insurance Plan, your service coordinator will assist you to determine whether the services identified on the IFSP can be paid for with insurance.

When using a Non-qualifying Health Insurance Plan, payment for EI services will be factored into the total annual or lifetime benefit maximum for the child. Also, co-payments and deductibles may apply and may be covered by the EI Colorado program. However, if the co-payment or deductible for a Non-qualifying Health Insurance Plan is more costly to the EI Colorado program than accessing the insurance plan for payment for a service, then other funding sources will be used.

As required under Part C of IDEA, when obtaining your consent or initially using benefits under your or your child’s private insurance policy to pay for an EI service, your EI Colorado service coordinator must provide you with a copy of this document that identifies the potential costs that you may incur when your private health insurance is used to pay for EI services. These costs may include long-term costs such as the loss of

benefits because of annual or lifetime health insurance coverage caps under the insurance policy. This means you will receive this document each time your consent is needed.

EI services that are written in your child's IFSP, and to which you have consented, cannot be denied due to your refusal to allow your private insurance to be billed for such services. If you do not agree to have your private insurance billed, the agreed upon EI services on the IFSP will still begin or continue to be provided. You have the right to refuse to allow providers to bill your or your child's private insurance if you are concerned about the potential impact on your private health insurance, such as an increase in premiums or the lifetime cap.

If you have public insurance or benefits (Medicaid or CHP+)...

As a condition of receiving EI services from the EI Colorado program, you are not required to sign up for, or enroll in, the Medicaid or CHP+ program if you and/or your child are not already enrolled in this program.

You are responsible for any public health insurance premiums but the EI Colorado program will pay co-pays and deductibles up to the cost of the EI service(s).

Your written parental consent is required before sharing personally identifiable information (PII) for the purposes of billing Medicaid or CHP+ (PII may include your child's name, your name, address, date of birth, and Medicaid number).

Your written consent is needed to use your or your child's Medicaid or CHP+ to pay for EI services if that use would potentially:

- Decrease available lifetime coverage or any other insured benefit for you or your child under that program;
- Result in you or your child paying for services that would otherwise be covered by the Medicaid or CHP+ program;
- Result in any increase in premiums or discontinuation of Medicaid or CHP+ benefits for you or your child; or,
- Risk loss of eligibility for one of the state Medicaid waivers based on aggregate health-related expenditures (You may not be eligible for a Medicaid waiver if you do not have enough health-related expenses to qualify).

If you do not provide consent to access Medicaid or CHP+ benefits to pay for EI services due to one of the reasons listed above, the EI Colorado program shall still make available EI services documented on your child's IFSP to which you have provided consent (If you do not agree to let EI Colorado use your benefits to pay for services, you will still receive the services you agreed to that are listed on your child's IFSP).

Before using your or your child's Medicaid or CHP+ to pay for EI services on the IFSP, your child's service coordinator will provide this Family Guide document which explains the following important information to make sure you are fully informed about how your information will be shared and how your benefits will be used:

- Your consent must be obtained under confidentiality protections, before the EI provider discloses, for billing purposes, your child’s PII to the State public agency responsible for the administration of the State’s Medicaid or CHP+ program;
- The no-cost protection provisions in this document and that if you do not provide consent to bill Medicaid or CHP+, the EI Colorado program must still make available those EI services on the IFSP for which you have provided consent;
- That you, as the parent, have the right under confidentiality protections to withdraw your consent to the disclosure of PII to the State public agency responsible for the administration of the State’s Medicaid or CHP+ program at any time;
- You will not incur any costs as a result of participating in the Medicaid or CHP+ program (such as co-payments or deductibles, or the required use of private insurance as the primary insurance if covered under Medicaid).
- If private insurance has to be accessed first before billing Medicaid, the EI Colorado program will pay co-pays and deductibles up to the cost of the EI service(s) for you;
- You have the right to refuse to allow providers to bill Medicaid if you are concerned about the potential impact on your private health insurance coverage if you are dually insured; and
- Your consent is required if the level of services increases during the duration of your child’s IFSP.

If you do not have health insurance...

Your service coordinator can provide information about resources for public or private health insurance, but you are not required to apply for public or private health insurance in order to receive EI services.

For additional information, contact 1-888-777-4041 or visit www.eicolorado.org

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