Racial Inequities in Access to Early Intervention

In December 2019, Advocates for Children of New York published a new report in partnership with Citizens’ Committee for Children of New York (CCC) entitled *Early Inequities: How Underfunding Early Intervention Leaves Low-Income Children of Color Behind* [PDF], which shows that State disinvestment in New York’s Early Intervention program has caused major racial and socio-economic disparities in access to services.

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Kids Can't Wait Campaign
Updated Asks FY2020-21

*We urge Governor Cuomo and NYS Legislators to include the following provisions in the enacted state...*
We've been busy! Check out our latest happenings.

budget:

(1) Require private health insurance companies to contribute their fair share to the cost of Early Intervention by establishing a “Covered Lives” assessment of $40 million, drawing revenue from commercial insurance providers.

(2) Raise reimbursement rates for all service providers, therapists, evaluators and classrooms in the Early Intervention and Preschool Special Education system by 10% in order to recruit and retain enough professionals to serve all children in need.

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**Early Childhood Advocacy Day in Albany RECAP**

On February 4th, Kids Can't Wait staff and steering committee members along with local constituents from Rochester & Buffalo attended Early Childhood Advocacy day in Albany. They held meetings with their local delegation as well as with NYS Assembly and Senate health, education and insurance committee Chairs and staff from the Governor's office. At each meeting the Kids Can’t Wait SFY20-21 asks were presented. Legislators were also urged to co-sponsor Covered Lives legislation, which would bring more revenue from commercial insurance plans into the Early Intervention system, and to push the Assembly and Senate leaders to include the Kids Can’t Wait asks in their respective one-house budgets.

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Kids Can’t Wait staff and steering committee members reviewed the Governor's Executive budget proposals regarding Early Intervention and Preschool Special Education. It was disappointing that the only item included (besides some administrative changes) was a "Pay and Pursue" proposal relating to Early Intervention providers and private insurance plans. Though it initially appears to be a positive change that might get reimbursements to providers more quickly, there is concern that in the long run it might create extra paperwork and possibly reduce payments to providers. After reviewing the Executive budget, a letter was sent to Governor Cuomo urging him to amend it to include the Kids Can't Wait recommendations.

We invite you to send the Governor and State leaders an email calling on Governor Cuomo to increase rates for preschool special education programs by 10% by clicking [here](https://thechildrensagenda.salsalabs.org/KidsCantWaitJuly20190_copy1_copy2_copy1_copy1). Please consider sharing this action with your networks.

We will be sharing occasional opportunities to advocate for our recommendations; please consider participating in as many actions as possible.

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**Understanding the Covered Lives Proposal**

There is significant interest in the Covered Lives proposal so we are educating legislators, their staff and others about this proposal and the positive impact it could have on reducing the wait time for Early Intervention services. If you are interested in having a better understanding of this proposal then this one-pager by Children’s Defense Fund New York is a beneficial read.

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Require Commercial Insurance Plans to Pay their Fair Share for Early Intervention Services through a Covered Lives Assessment

New York’s Early Intervention (EI) Services program is in crisis. EI providers deliver necessary early childhood development services to infants and toddlers with delays and disabilities. Necessary services are identified by a team of experts who produce an Individualized Family Service Plans (IFSP). Federal law requires these services to be delivered in a timely manner. However, families across New York routinely face illegal waitlists and delays for services:

- Statewide, the percentage of children receiving timely EI services fell from 74% in 2015 to 66% in 2019
- In 2018, only 62% of children who qualified for EI services in the Bronx received them within federally mandated timeframes
- In Westchester County, the percentage of children receiving timely EI services fell from 94% in 2015 to 58% in 2018

Meanwhile, commercial insurance plans are only paying around $12.5 million of the roughly $80 million claimed for EI services

This amounts to around 15¢ on the dollar. By comparison, Medicaid pays nearly 75¢ on the dollar for all claims submitted. Accordingly, commercial insurance plans are failing to pay their fair share into the EI system.

New York should impose a covered lives assessment on commercial insurance plans to improve reimbursement rates for all EI providers.

A covered lives assessment would impose a fee on state-regulated commercial insurance plans for EI services. If set at an appropriate amount, commercial insurance plans would pay their fair share for EI claims, adding tens of millions of dollars to the system. Advantages of a covered lives assessment include:

- New York could increase rates for EI providers
- The assessment would relieve plans of the administrative burden of processing claims, and relieve providers of the administrative burden of filing claims
- Increased reimbursement and streamlined billing processes will incentivize providers to remain in the system, and attract new providers
- A covered lives assessment would cost commercial insurance plans less than mandating approval of all claims for health services identified on an IFSP

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We've been busy! Check out our latest happenings.

For more information please contact Ben Anderson, Director of Poverty and Health Policy, Children’s Defense Fund-New York at banderson@childrensdefenseny.org or 212-697-0492