



March 7, 2024

RE: Investing in Early Intervention

Dear Speaker Heastie and Senate Majority Leader Stewart-Cousins,

We are writing to strongly recommend that New York State's FY2024-25 budget address the crisis in New York State's Early Intervention program and expand access to the legally required services that infants and toddlers with developmental delays and disabilities need to grow and thrive.

The NYS Bureau of Early Intervention and the NYS Office of the Comptroller released data documenting that nearly half of families whose children are evaluated and deemed eligible for Early Intervention services don't receive them within the legally required timelines.

Unfortunately, data also shows that the Early Intervention program is often only able to offer remote services even when parents feel strongly that in-person services are necessary for meeting their child's needs.[1]

Similarly, a [report](#) released on February 29, 2024 by the U.S. Department of Education found New York State's Early Intervention program to be out of compliance with federal law requiring states to provide Early intervention services to all eligible infants and toddlers with disabilities and their families in a timely manner and ensuring that Early intervention services are available in all geographic areas in the State. The report further highlights what we already know from our work with families and review of State data - that the State must incentivize providers to work with children in person.[2]

We look to the legislature to hold firm in demanding that the enacted budget include the following investments in the Early Intervention program:

1. An 11% increase in reimbursement rates for all Early Intervention services delivered in person (A6998A/S6902A). On top of this 11% increase, we also support the addition of a rate modifier designed to expand access to in-person services in rural and underserved areas.
2. Reform of the methodology used to determine Early Intervention reimbursement rates, as the current method is outdated and inadequate. The State should conduct a comprehensive assessment of the methodology used to determine payment for all Early Intervention evaluations, services, and service coordination. A report should be released within 12 months recommending new rates that fully cover the costs of delivering services across all settings and modalities.
3. A student loan forgiveness program to attract new Early Intervention providers. To address the growing waitlists and workforce challenges plaguing Early Intervention, the State should incentivize recruitment of providers by offering a student loan forgiveness program for graduates of higher education institutions preparing Early Intervention professionals. The program should

[1] https://www.health.ny.gov/community/infants_children/early_intervention/eicc/docs/2023-12-14_ann_perf_report.pdf

[2] The U.S. Education Department attributed NYSDOH's failure to comply with legal requirements, in part, to the State's funding structure, which provides a financial disincentive to provide in-person services particularly in rural areas and inner-city regions of the State, which has resulted in underserved and hard-to-reach communities being disproportionately affected by Early Intervention service provider shortages that exist throughout the State.

offer loan forgiveness to providers willing to provide in-person Early Intervention services in Medically Underserved (MUA) and/or Health Care Provider Shortage Areas (HPSAs). (A8455)

It's important for these changes to move forward without any programmatic changes that would further restrict the services available to young children.

Children are waiting because therapists and providers who work one-on-one with families to nurture progress are leaving the Early Intervention program due to state-set payment rates that result in compensation that is far below what their peers earn doing equivalent work in other settings, such as schools or hospitals. Many Early Intervention provider rates are lower now (post-2022) than they were in 1994. When considering inflation, 2022 rates for service coordination, screening, and core evaluation would need to increase by, on average, over 90% to have the same spending power as reimbursement in 1994. For basic and extended rates, an increase of about 140% is needed.

The consequence of stagnant Early Intervention rates is impacting every region of New York State. While other sectors of New York's health care workforce have received well-deserved rate increases over the past three years, Early Intervention therapists have not.

It's long past time for recognition of their value to our families, communities, and state. Immediate action is needed to ensure all children get the services they need and to end the systemic violation of the legal rights of infants and toddlers with developmental delays or disabilities.

Sincerely,

Advocates for Children of New York
Citizens' Committee for Children of New York
Liftoff WNY
Schuyler Center for Analysis and Advocacy
The Children's Agenda

315 Therapy for Physical, Occupational and Speech
365 kids LLC
Ability Builders for Children, LLC
Adirondack Foundation - Adirondack Birth to Three Alliance
Agencies for Children's Therapy Services
Alliance for Quality Education
Alternatives for Children
Arc Wayne
Binghamton University Division of Physical Therapy
Buffalo Hearing & Speech Center
Catracho's Barbershop
Childrens Defense Fund - New York
E.Sholom, Inc.

Early Achievers, Inc.
Early Childhood Associates
Friendship Children Center
Important Steps, Inc.
Jawonio
JSPOT
Just Kids Early Childhood Learning Center
Kennedy Children's Center
Learning Steps Center
Moving Mountains Occupational Therapy PC
Nazareth University
New York Center for Infants and Toddlers
New York Child Resource Center Inc.
New York State Alliance for Children with Special Needs
NY State American Academy of Pediatrics
New York Center for Child Development
Parents Helping Parents Coalition of Monroe County
PUSH for Empowered Pregnancy
Reflection & Direction
Right Start Development
Rochester Hearing and Speech Center
Small Wonder Preschool, Inc.
Sound Speech and Language Pathology P.C.
Step by Step Developmental Services
Step Up Therapy Services
Steppingstone Day School
The Center for Spectrum Services
The Child Center of NY
The Education Trust--NY
The Hagedorn Little Village School
The Inspired Community Project, Inc.
The New York Zero to Three Network
The Summit Center
The Therapy SP-OT
Therapy and Learning Center
Therapy Pros OT & Educational Services

Thursday's Child
TogetherNow
United Way of Buffalo & Erie County
University of Rochester/Golisano Children's Hospital
Williamsburg Infant and Early Childhood Development Center
New York State Speech-Language-Hearing Association
New York State Association for Infant Mental Health
Healthi Kids Coalition
Zero to Three Syracuse ILC
New York City Coalition for Children with Special Needs
Long Island Coalition for Young Children
Hudson Alliance for Children with Special Need
Capital Region Alliance for Children with Special Needs
Western-Central Coalition for Children with Special Needs
Cerebral Palsy Assoc of NYS

CC:

Senator Gustavo Rivera
Assemblymember Amy Paulin
Senator Shelley Mayer
Assemblymember Michael Benedetto
Assemblymember Michaelle Solages
Senator Samra Brouk
Senator John Mannion
Assemblymember Jen Lunsford
Assemblymember Rebecca Seawright
Assemblymember Andrew Hevesi
Senator Jabari Brisport
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Blake Washington
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