
SUBSTITUTE SENATE BILL 5538

State of Washington

52nd Legislature

1991 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators L. Smith, Stratton and Roach).

Read first time March 6, 1991.

1 AN ACT Relating to early intervention services for infants and
2 toddlers; adding a new chapter to Title 70 RCW; and making an
3 appropriation.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that there is
6 an urgent and substantial need to:

7 (a) Enhance the development of all infants and toddlers with
8 disabilities in the state of Washington in order to minimize
9 developmental delay and maximize individual potential for adult
10 independence;

11 (b) Enhance the capacity of families to meet the needs of their
12 infants and toddlers with disabilities and maintain family integrity;

13 (c) Reduce the educational costs per child by minimizing the need
14 for special education and related services after infants and toddlers
15 with disabilities reach school age;

1 (d) Reduce social services costs and minimize the likelihood of
2 institutional or out-of-home placement of children with disabilities;

3 (e) Reduce the health costs of preventable secondary impairments
4 and disabilities by improving the long-term health of infants and
5 toddlers with disabilities; and

6 (f) Reduce the human costs to families and society.

7 (2) The legislature therefore intends that the policy of this state
8 is to:

9 (a) Affirm that all children are valued members of society;

10 (b) Affirm the importance of the family in all areas of the
11 infant's or toddler's development and reinforce the role of the family
12 in the decision-making processes regarding their infant or toddler;

13 (c) Ensure that services are provided in ways that are as
14 nonintrusive as possible, that respect individual and family privacy,
15 and that support families' access to legal safeguards;

16 (d) Ensure that services are provided in ways that promote dignity
17 and respect for individual differences and that acknowledge and respect
18 differences in race, religion, ethnic and cultural background, gender,
19 age, disability, geography, and economic status;

20 (e) Provide assistance and support to the family of an infant or
21 toddler with a disability that addresses the individual needs of that
22 family;

23 (f) Coordinate and enhance the state's existing early intervention
24 services to ensure a state-wide, community-based, comprehensive,
25 coordinated, multidisciplinary, interagency program of early
26 intervention services for all infants and toddlers with disabilities
27 and their families;

28 (g) Ensure that personnel necessary to provide early intervention
29 services are appropriately and adequately trained and that every effort

1 is made to utilize existing early intervention personnel without
2 replacement;

3 (h) Facilitate the coordination of payment for early intervention
4 services from federal, state, local, and private sources including
5 public and private insurance coverage; and

6 (i) Guarantee financial assistance to county lead agencies for the
7 purposes of coordinating early intervention services in their
8 communities and enhance their capacity to provide individualized early
9 intervention services to all infants and toddlers with disabilities and
10 their families.

11 NEW SECTION. **Sec. 2.** Unless the context clearly requires
12 otherwise, the definitions in this section apply throughout this
13 chapter.

14 "Infants and toddlers with disabilities" means children from birth
15 through three years of age who need early intervention services
16 because:

17 (1) Based on standard evaluation procedures, they are experiencing
18 delays in one or more of the following areas of development:

19 (a) Sensory or physical, including vision, hearing, or fine or
20 gross motor;

21 (b) Cognitive;

22 (c) Communication;

23 (d) Psychosocial;

24 (e) Self-help skills; or

25 (2) They have a diagnosed physical or mental condition that has a
26 high probability of resulting in functional delay. Examples of such
27 conditions include, but are not limited to:

28 (a) Chromosomal abnormalities associated with mental retardation
29 such as down syndrome;

1 (b) Congenital central nervous system birth defects or syndromes
2 such as myelomeningocele or fetal alcohol syndrome;

3 (c) Established central nervous system deficits resulting from
4 hypoxia, trauma, or infection;

5 (d) Significant vision or hearing impairments;

6 (e) AIDS; or

7 (f) Medically fragile.

8 NEW SECTION. **Sec. 3.** Unless the context clearly requires
9 otherwise, the definitions in this section apply throughout this
10 chapter.

11 (1) "Early intervention services" means the developmental services
12 defined in subsection (2) of this section, the tracking and information
13 services defined in subsection (3) of this section, and the early
14 identification services defined in subsection (4) of this section.
15 Early intervention services are:

16 (a) Provided under public supervision;

17 (b) Selected by the parents;

18 (c) Provided at no direct cost to the family; and

19 (d) Provided by or under the supervision of qualified personnel,
20 including but not limited to:

21 (i) Early childhood special educators;

22 (ii) Vision specialists and teachers of the blind;

23 (iii) Speech-language pathologists and audiologists;

24 (iv) Occupational therapists;

25 (v) Physical therapists;

26 (vi) Psychologists;

27 (vii) Social workers;

28 (viii) Nurses;

29 (ix) Nutritionists;

1 (x) Physicians;

2 (xi) Mental health professionals;

3 (xii) Early childhood specialists; and

4 (xiii) Family resources coordinators.

5 (2) "Developmental services" means services that are:

6 (a) Designed to meet the developmental needs of each infant or

7 toddler with disabilities;

8 (b) Provided in conformity with an individualized family service

9 plan as described in section 5 of this act;

10 (c) Offered in the setting or settings most appropriate for the

11 infant or toddler with disabilities and the family in their community;

12 (d) Provided on a year round basis when possible;

13 (e) Designed to offer the opportunity, as appropriate, for an

14 infant or toddler with disabilities to interact with children who do

15 not have disabilities when such services are provided out of home;

16 (f) Consistent with the standards described in section 4 (13) and

17 (14) of this act;

18 (g) Services that include the following:

19 (i) Family resources coordination;

20 (ii) Family support including, but not limited to counseling, peer

21 support, training, and social work;

22 (iii) Special instruction;

23 (iv) Speech-language pathology and audiology;

24 (v) Occupational therapy;

25 (vi) Physical therapy;

26 (vii) Psychological services including therapy;

27 (viii) Medical services for diagnostic or evaluation purposes only;

28 (ix) Nursing;

29 (x) Nutrition;

1 (xi) Health services necessary to enable the infant or toddler with
2 disabilities to benefit from the other early intervention services; and
3 (xii) Transportation.

4 (3) "Tracking and information services" means tracking to ensure
5 that the infant or toddler receives periodic early identification
6 services defined in subsection (4) of this section to document the
7 development of the child and information to the parents about child
8 development and parenting.

9 (4) "Early identification services" means developmental screening
10 and referral.

11 NEW SECTION. **Sec. 4.** Unless the context clearly requires
12 otherwise, the definitions in this section apply throughout this
13 chapter.

14 (1) "Parent" means the parent, guardian, or a person acting as a
15 parent of a child with disabilities, or someone who has been appointed
16 as a surrogate. The term does not include the state if the child is a
17 ward of the state.

18 (2) "Family resources coordination" means an ongoing process
19 consisting of activities to assist the child and family to:

20 (a) Identify, obtain, and effectively utilize services and other
21 resources; and

22 (b) Be informed of their rights and procedural safeguards.

23 (3) "Family resources coordinator" means the person, as agreed upon
24 by the family, who will be responsible for facilitating the development
25 of an individualized family service plan and for providing family
26 resources coordination as defined in subsection (1) of this section.

27 (4) "Multidisciplinary" means the involvement of two or more
28 disciplines or professions in the provision of integrated and

1 coordinated services including evaluation and assessment activities and
2 development of the individualized family service plan.

3 (5) "Evaluation" means a timely, comprehensive, multidisciplinary
4 evaluation process for the purpose of determining an infant or
5 toddler's initial and continuing eligibility.

6 (6) "Assessment" means a comprehensive and multidisciplinary
7 assessment of the unique needs and strengths of the infant and toddler
8 with disabilities for the purpose of developing and updating an
9 individualized family service plan for each infant and toddler.
10 Parents shall be fully participating members of the multidisciplinary
11 assessment team.

12 (7) "Individualized family service plan" means a written plan
13 jointly developed by the family and service providers for providing
14 collaborative developmental services for eligible infants or toddlers
15 with disabilities and the family as specified in section 5 of this act.

16 (8) "County" means a county or counties which jointly or severally
17 establish a county early childhood interagency coordinating council.

18 (9) "Early childhood council" means an early childhood interagency
19 coordinating council that is established within a county or counties in
20 accordance with section 6 of this act.

21 (10) "County lead agency" means a local public agency that is
22 consistent with and designated by the state lead agency to serve as the
23 fiscal and contracting agent for a county in accordance with section 7
24 of this act.

25 (11) "State council" means the state early childhood interagency
26 coordinating council established under section 8 of this act.

27 (12) "State lead agency" means the state agency designated by the
28 governor to perform the duties defined in section 10 of this act.

29 (13) "Program standards" means those standards which address the
30 coordination and provision of early intervention services. The

1 standards may include, but are not limited to, personnel
2 qualifications, staff to child ratio, caseload, maximum class size, and
3 length of the program.

4 (14) "Health and safety standards" means those standards that
5 address the facilities where early intervention services are offered,
6 excluding the infant's or toddler's home. Such standards shall meet
7 all federal, state, and local laws, rules, and regulations pertaining
8 to, but not limited to:

9 (a) Immunization;

10 (b) Communicable disease;

11 (c) Nutrition;

12 (d) Social environment;

13 (e) Size of facility;

14 (f) Fire code; and

15 (g) Accessibility.

16 NEW SECTION. **Sec. 5.** (1) Infants and toddlers with
17 disabilities and their families shall be entitled to receive:

18 (a) An evaluation;

19 (b) An assessment of the unique needs and strengths of the infant
20 or toddler and the identification of services to meet such needs;

21 (c) An explanation of the evaluation and assessment and all service
22 options in the family's primary language or through a certified
23 interpreter for the deaf, if necessary;

24 (d) Family resources coordination;

25 (e) An individualized family service plan that accommodates
26 cultural differences and is developed by a multidisciplinary team
27 including the family resources coordinator with the parents as fully
28 participating members of the team; and

1 (f) Any developmental services that are included in the infant's or
2 toddler's individualized family service plan.

3 (2) The individualized family service plan shall be in the family's
4 primary language, when necessary to ensure understanding, and contain
5 the following:

6 (a) A statement of the infant's or toddler's present levels of
7 cognitive development, sensory or physical development including
8 vision, hearing, fine and gross motor, communication skills including
9 speech and language, psychosocial development, and self-help skills;

10 (b) With the concurrence of the family, a statement of the family's
11 strengths and concerns related to enhancing the development of the
12 infant or toddler with disabilities;

13 (c) A statement of the major outcomes expected to be achieved for
14 the infant or toddler with disabilities and the family, including the
15 criteria, procedures, and timelines used to determine the degree of
16 progress toward achieving the desired outcomes; and whether
17 modifications or revisions of the outcomes or services are necessary;

18 (d) A statement of specific developmental services necessary to
19 meet the individual needs of the infant or toddler with disabilities
20 and the family, and should include the frequency, intensity, and method
21 of delivering these services;

22 (e) A statement of the health status and medical needs of the
23 infant or toddler with disabilities, and shall include the names of the
24 child's health care providers;

25 (f) The projected dates for initiation of services and the
26 anticipated duration of such services;

27 (g) The name of the family resources coordinator; and

28 (h) The steps to be taken supporting the transition of the infant
29 or toddler from one setting to another.

1 (3) The individualized family service plan serves as the
2 comprehensive service plan for all agencies involved in providing
3 developmental services to the infant or toddler with disabilities and
4 the family.

5 (4) The individualized family service plan must be evaluated at
6 least once a year.

7 (5) The family resources coordinator and the family shall review
8 the individualized family service plan at six-month intervals or more
9 often based on the needs of the infant or toddler with disabilities and
10 the family.

11 NEW SECTION. **Sec. 6.** Each county shall establish a county
12 early childhood interagency coordinating council to coordinate and
13 enhance existing early intervention services and assist each community
14 to meet the needs of infants and toddlers with disabilities and their
15 families.

16 (1) The early childhood coordinating council shall have the
17 following responsibilities:

18 (a) With the county lead agency, jointly prepare and submit, as
19 defined in section 7(3) of this act, the early intervention plan and
20 the annual report on the status of early intervention services for
21 infants and toddlers with disabilities and their families within the
22 county;

23 (b) Advise and assist the county lead agency and recommend policy
24 for administration of the provisions of this chapter at the county
25 level;

26 (c) Assist in the development of interagency agreements for
27 provision of services and transitions between programs;

28 (d) Assist in the development of informal community support for
29 eligible families residing within the county;

1 (e) Promote the development of private financial resources and
2 community volunteer support; and

3 (f) Advise and assist the state council in determining services
4 needed at the county level.

5 (2) The early childhood council shall, to the extent possible,
6 reflect the population and cultural diversity of the county. The early
7 childhood council membership shall include, but not be limited to:

8 (a) At least three parents of children under ten years of age with
9 disabilities with at least thirty percent of the total council being
10 parents; and

11 (b) As appropriate to the county, representatives from the
12 following areas:

13 (i) Health, including public health districts, neuromuscular
14 centers, private therapists, mental health professionals, local medical
15 and health care providers, and hospitals;

16 (ii) Developmental disabilities, including developmental
17 disabilities centers, county developmental disabilities boards or
18 staff, and regional developmental disabilities staff;

19 (iii) Education including public school districts or head start
20 early childhood education and assistance programs;

21 (iv) Social services; and

22 (v) Other areas that might include elected officials, local
23 personnel preparation programs, Native American tribes, child care
24 providers, business, professional associations, advocacy groups,
25 organizations, or academies.

26 (3) The early childhood council shall:

27 (a) Establish and maintain bylaws by which the early childhood
28 council shall conduct its business under this chapter and any other
29 state rules governing public advisory boards, committees, or councils;
30 and

1 (b) Meet at least six times per year with such meetings publicly
2 announced, and open and accessible to the general public.

3 (4) No member of the early childhood council shall cast a vote on
4 any matter which would provide direct financial benefit to that member
5 or otherwise give the appearance of a conflict of interest.

6 NEW SECTION. **Sec. 7.** The county lead agency, as designated by
7 the state lead agency shall:

8 (1) Be responsible for ensuring that:

9 (a) The services defined in section 5 this act are available and
10 accessible for all eligible infants and toddlers and their families
11 residing within the county;

12 (b) A public awareness program focusing on services for infants and
13 toddlers with disabilities exists within the county;

14 (c) Early identification efforts exist within the county and are
15 coordinated with state-wide efforts; and

16 (d) There exists a fixed point of referral in each community to
17 facilitate access to early intervention services.

18 (2) Have general administration and monitoring functions, within
19 the county, associated with this chapter that include:

20 (a) Administration of funds provided to the county lead agency
21 under section 15 of this act;

22 (b) Entry into contracts with agencies that are designated by the
23 county lead agency as primary providers of early intervention services
24 to be funded under this chapter within the county;

25 (c) Entry into formal interagency agreements that define the
26 financial responsibility of each public agency for paying for early
27 intervention services, establish procedures for resolving disputes, and
28 ensure meaningful cooperation and coordination;

1 (d) Development of procedures to ensure that services are provided
2 to infants and toddlers with disabilities and their families in a
3 timely manner pending the resolution of any disputes among public
4 agencies or service providers;

5 (e) Facilitation of agreements between primary providers and other
6 agencies that assure the provision of early intervention services where
7 needed; and

8 (f) Facilitation of interagency coordination, collaboration, and
9 assistance in the resolution of county interagency disputes.

10 (3) With the county early childhood council, jointly:

11 (a) Develop an early intervention plan to be submitted to the state
12 lead agency and the state council on an annual basis. The plan must
13 consider other plans developed within the county that address the needs
14 of infants and toddlers and must incorporate those plans as feasible.
15 The plan shall address:

16 (i) Ways existing early intervention services might be better
17 coordinated;

18 (ii) Ways to enhance existing early intervention services to better
19 serve infants and toddlers with disabilities and their families;

20 (iii) Types of needed services, both formal and informal, currently
21 not available in the county and how these services might be provided;
22 and

23 (iv) How early intervention funding made available to the county
24 lead agencies by appropriation will most efficiently provide services
25 to eligible infants and toddlers and their families;

26 (b) Prepare and submit an annual report to the state council and
27 the state lead agency on the status of early intervention services for
28 infants and toddlers with disabilities and their families within the
29 county; and

1 (c) Establish a membership process for the early childhood council
2 that represents the community's concerns and has provisions for the
3 grandfathering of parent and nonparent members of existing councils
4 that approximate the functions of the early childhood council described
5 in section 6 of this act.

6 NEW SECTION. **Sec. 8.** The governor shall appoint a state early
7 childhood interagency coordinating council.

8 (1) The state council shall advise and assist the state lead agency
9 to:

10 (a) Carry out the duties of the lead agency established in section
11 10 of this act;

12 (b) Develop policy for administration of the provisions of this
13 chapter;

14 (c) Achieve the full participation, coordination, and cooperation
15 of all appropriate public agencies in the state;

16 (d) Establish a process that seeks information from service
17 providers, family resources coordinators, parents, and others about any
18 federal, state, or local policies that impede timely delivery of early
19 intervention services and provide for steps to ensure that any policy
20 problems identified are resolved;

21 (e) Resolve disputes between agencies;

22 (f) Identify sources of fiscal and other support for services under
23 this chapter;

24 (g) Assign financial responsibility to the appropriate public
25 agency; and

26 (h) Promote interagency agreements.

27 (2) The state council shall work with all state agencies providing
28 or paying for early intervention services to assist in the development
29 and adoption of:

1 (a) Uniform sets of administrative codes dealing with early
2 intervention services;

3 (b) A system to provide reasonable transition between programs;

4 (c) Uniform program health and safety standards; and

5 (d) Personnel standards for certification and training.

6 (3) In carrying out the duties assigned to the state council, the
7 state council shall:

8 (a) Establish and maintain bylaws by which the state council shall
9 conduct its business in accordance with this chapter and existing
10 administrative code;

11 (b) Meet at least four times per year at the call of the chair or
12 by request of one-third of the state council. Such meetings shall be
13 publicly announced, and open and accessible to the general public;

14 (c) Convene a broad-based advisory committee at least twice per
15 year;

16 (d) Convene a meeting of early childhood council chairs at least
17 twice per year; and

18 (e) Prepare and submit an annual report to the governor and state
19 lead agency on the status of early intervention services for infants
20 and toddlers with disabilities and their families within the state.

21 NEW SECTION. **Sec. 9.** (1) In making appointments to the state
22 council, the governor shall ensure that the membership of the state
23 council reasonably represents the population and cultural diversity of
24 the state. The state council shall have no more than fifteen members
25 and consist of:

26 (a) At least four parents of children with disabilities less than
27 six years of age at the time of the parent's appointment;

1 (b) At least three public or private providers of early
2 intervention services with at least one representative from each
3 sector;

4 (c) One representative from each body of the state legislature;

5 (d) One person involved in personnel preparation; and

6 (e) Other members representing each of the appropriate state
7 agencies involved in the provision of, or payment for, early
8 intervention services to infants and toddlers with disabilities and
9 their families.

10 (2) No member of the state council shall cast a vote on any matter
11 which would provide direct financial benefit to that member or
12 otherwise give the appearance of a conflict of interest under state
13 law. State interagency coordinating council members shall serve
14 staggered three-year terms until their successors are appointed and
15 qualified. The initial appointments shall be made within ninety days
16 of the effective date of this act. Whenever a vacancy shall occur on
17 the state council by reason other than the expiration of a term of
18 office, the governor shall appoint a successor of like qualifications
19 for the remainder of the unexpired term.

20 NEW SECTION. **Sec. 10.** The state lead agency, as designated by
21 the governor, shall:

22 (1) Ensure that a state-wide system of early intervention services
23 is developed and maintained. The system shall include:

24 (a) The services defined in section 5 of this act;

25 (b) A comprehensive early identification and referral system;

26 (c) A public awareness program focusing on early identification of
27 infants and toddlers with disabilities; and

28 (d) A central directory that includes early intervention services,
29 resources and experts within the field available in the state, and

1 early intervention research and demonstration projects being conducted
2 in the state;

3 (2) Be responsible for the general administration of a state-wide
4 system of early intervention services including:

5 (a) Writing of all policy, procedures, and administrative code, in
6 conjunction with and with the approval of the state council, that are
7 necessary for implementation of this chapter;

8 (b) Administration of funds provided under section 16 of this act;

9 (c) Supervision and monitoring of agencies, programs, and
10 activities that receive assistance under this chapter to ensure
11 compliance with the provisions of this chapter;

12 (d) Identification and coordination of all available sources of
13 financial and other support for early intervention services within the
14 state from federal, state, local, and private sources;

15 (e) Entry into formal interagency agreements that define the
16 service delivery and financial responsibilities of each public agency
17 providing or paying for early intervention services. Such interagency
18 agreements must include procedures for resolving disputes and all
19 additional components necessary to ensure meaningful cooperation and
20 coordination;

21 (f) Entry into contracts with county lead agencies;

22 (g) Development of procedures to ensure that services are provided
23 to infants and toddlers with disabilities and their families in a
24 timely manner pending the resolution of any disputes among public
25 agencies or service providers;

26 (h) Implementation of procedural safeguards as specified in section
27 11 of this act;

28 (i) Establishment of standards and a comprehensive system of
29 personnel development that ensures that personnel necessary to carry
30 out this chapter are appropriately and adequately trained;

1 (j) Establishment and maintenance of personnel standards that are
2 consistent with state-approved or recognized certification, licensing,
3 registration, or other comparable requirements;

4 (k) Development, maintenance, evaluation, and revision of program
5 standards and health and safety standards; and

6 (l) Compiling data on the number of infants and toddlers with
7 disabilities and their families in the state in need of early
8 intervention services, the number of such infants and toddlers and
9 their families served, the types of services provided, and other
10 information as may be required.

11 NEW SECTION. **Sec. 11.** The state lead agency shall establish
12 procedural safeguards for infants and toddlers and their families to be
13 included in the state-wide system of early intervention services that,
14 at a minimum, include the following:

15 (1) The timely administrative resolution of individual complaints;

16 (2) The effective implementation of the safeguards by each public
17 agency involved in the provision of early intervention services under
18 this chapter;

19 (3) A mediation system to guide both parties toward a mutually
20 satisfactory solution of disputes. Neither party shall be obligated to
21 resolve the dispute with this process. The mediation service shall be:

22 (a) A voluntary process until July 1, 1995, at which time if the
23 parents request mediation, a local service provider shall enter into
24 mediation;

25 (b) Provided by properly trained and certified mediators;

26 (c) Free to the parents or service provider; and

27 (d) Selected by the early childhood coordinating council in each
28 county;

29 (4) The right to initiate a hearing for the resolution of disputes;

1 (5) Confidentiality of information that may identify the parties
2 involved;

3 (6) The opportunity for parents to examine and receive a copy of
4 records relating to screening, evaluation, assessment, and the
5 development and implementation of the individualized family service
6 plan;

7 (7) Procedures to protect the rights of the infants or toddlers
8 with disabilities whenever the parents of the child are not known, or
9 unavailable, or the child is a ward of the state, including the
10 assignment of an individual, who shall not be an employee of any state
11 agency providing services, to act as a surrogate for the parents;

12 (8) Written prior notice to the parents of the infant or toddler
13 whenever the state agency or service provider proposes to initiate or
14 change, or refuses to initiate or change, the identification,
15 evaluation, placement, or the provision of early intervention services
16 to the infant or toddler with disabilities;

17 (9) The notice required by subsection (8) of this section shall
18 fully inform the parents in the parents' primary language, or by use of
19 a certified interpreter for the deaf, of all procedures available
20 pursuant to this section; and

21 (10) During the pendency of any proceeding or action involving a
22 hearing, unless the agency and the parents otherwise agree, the child
23 shall continue to receive the early intervention services currently
24 being provided or if applying for initial services shall receive the
25 services even if such services are in dispute.

26 NEW SECTION. **Sec. 12.** The state lead agency shall establish
27 procedures for the resolution of complaints about the system including
28 receiving and resolving any complaint that one or more requirements of
29 this chapter are not being met.

1 NEW SECTION. **Sec. 13.** For the purposes of implementing this
2 chapter, the governor shall:

3 (1) Ensure that state agencies involved in the provision of, or
4 payment for, early intervention services to infants and toddlers with
5 disabilities and their families shall coordinate and collaborate in the
6 planning and delivery of such services;

7 (2) With the recommendation of the state council, designate the
8 state lead agency specified in section 10 of this act to administer the
9 provisions of this chapter and to ensure the state lead agency
10 establish and maintain a state-wide system of coordinated,
11 comprehensive, multidisciplinary, interagency programs providing early
12 intervention services to all infants and toddlers with disabilities and
13 their families;

14 (3) Appoint the members of the state council; and

15 (4) Appoint a chair of the state council based on the
16 recommendations from the state council.

17 NEW SECTION. **Sec. 14.** No state or local agency currently
18 providing early intervention services to infants and toddlers with
19 disabilities may use funds appropriated for the purposes of this
20 chapter to supplant funds from other sources. No state or local agency
21 may delay, interrupt, or divert funds appropriated in the 1991-93
22 biennium for early intervention programs for infants and toddlers with
23 disabilities from those programs.

24 Each county shall ensure that the implementation of this chapter
25 will not cause any interruption in existing early intervention services
26 for infants and toddlers with disabilities.

27 Nothing in this chapter shall be construed to permit the
28 restriction or reduction of eligibility under Title V of the Social
29 Security Act, P.L. 90-248, relating to maternal and child health or

1 Title XIX of the Social Security Act, P.L. 89-97, relating to medicaid
2 for infants and toddlers with disabilities.

3 NEW SECTION. **Sec. 15.** The state lead agency shall, in
4 accordance with this chapter, enter into contracts with the county lead
5 agencies to assist in the provision of comprehensive, coordinated,
6 multidisciplinary, interagency early intervention services for infants
7 and toddlers with disabilities and their families within the county.
8 The county early intervention plans described in section 7(3) of this
9 act shall be used to assist the state lead agency in determining what
10 funding should be provided to the counties to address gaps in early
11 intervention services. Funds made available under this chapter shall
12 be disbursed in a manner that enables the optimum provision of
13 necessary services for eligible infants and toddlers and their family.

14 NEW SECTION. **Sec. 16.** The sum of dollars, or
15 as much thereof as may be necessary, is appropriated for the biennium
16 ending June 30, 1993, from the general fund to the state agency
17 designated as the state lead agency by the governor for the purposes of
18 this act.

19 NEW SECTION. **Sec. 17.** Sections 1 through 15 of this act shall
20 constitute a new chapter in Title 70 RCW.