

Senate Engrossed House Bill

~~infants; toddlers; developmental delays~~
(now: developmental delays; infants; toddlers)

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

CHAPTER 132
HOUSE BILL 2137

AN ACT

AMENDING SECTION 41-2022, ARIZONA REVISED STATUTES; RELATING TO EARLY INTERVENTION PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-2022, Arizona Revised Statutes, is amended to
3 read:

4 41-2022. Infants and toddlers with developmental delays; lead
5 agency; interagency agreements; initial
6 individualized service plans; service options

7 A. The department of economic security shall serve as the lead
8 agency for the coordination of a system of early intervention programs and
9 services to infants and toddlers with developmental delays.

10 B. The interagency coordinating council for infants and toddlers
11 shall advise and assist the department of economic security in developing
12 and implementing the statewide system and shall assist the department of
13 economic security in achieving the full participation, coordination and
14 cooperation of all appropriate public agencies in this state.

15 C. The department of economic security, the department of
16 education, the department of health services, the Arizona health care cost
17 containment system administration and the Arizona state ~~school~~ SCHOOLS for
18 the deaf and the blind shall enter into one or more intergovernmental
19 agreements to develop and implement a comprehensive, coordinated system of
20 early intervention programs and services for infants and toddlers with or
21 at risk of developmental delays and their families in accordance with
22 Public Law 99-457 (20 United States Code section 671). The interagency
23 coordinating council for infants and toddlers may assist in the
24 development of the interagency agreements.

25 D. THE INTERGOVERNMENTAL AGREEMENTS DEVELOPED AND IMPLEMENTED BY
26 THE DEPARTMENT PURSUANT TO THIS SECTION SHALL REQUIRE THAT AT THE INITIAL
27 INDIVIDUALIZED FAMILY SERVICE PLAN MEETING, AND EVERY SUBSEQUENT REVIEW OF
28 THE INDIVIDUALIZED FAMILY SERVICE PLAN, THE DEPARTMENT MUST PROVIDE
29 FAMILIES INFORMATION ON THE IDENTIFIED PRIORITIES, NEEDS, AND OUTCOMES FOR
30 THE INFANT OR TODDLER INCLUDING ADDITIONAL COMMUNITY RESOURCES THAT DO NOT
31 QUALIFY FOR SERVICES UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT
32 (20 UNITED STATES CODE SECTIONS 1431-1444) AND THE REGULATIONS ADOPTED
33 PURSUANT TO THE ACT. THE DEPARTMENT MUST DEVELOP A COMMUNITY RESOURCE
34 GUIDE THAT IS AVAILABLE TO FAMILIES ELECTRONICALLY. AT THE INITIAL
35 INDIVIDUALIZED FAMILY SERVICE PLAN MEETING THE DEPARTMENT MUST SHOW
36 FAMILIES HOW TO ACCESS THE ELECTRONIC GUIDE AND HAVE PRINT COPIES
37 AVAILABLE BY REQUEST TO FAMILIES WHO CANNOT ACCESS THE ELECTRONIC GUIDE.

38 E. THE DEPARTMENT SHALL DEVELOP A PROCESS FOR INCORPORATING
39 COMMUNITY RESOURCES IN THE COMMUNITY RESOURCE GUIDE, PURSUANT TO
40 SUBSECTION D OF THIS SECTION, THAT ENSURES THAT THE LISTED RESOURCES ARE
41 OFFERED IN ARIZONA AND TO THE TARGETED EARLY INTERVENTION POPULATION. THE
42 DEPARTMENT SHALL KEEP THE ELECTRONIC GUIDE UPDATED, AS NECESSARY, WITH NEW
43 RESOURCES. THE RESOURCE GUIDE SHALL INCLUDE INFORMATION ON INTERVENTION
44 SERVICE OPTIONS THAT MAY NOT BE COVERED BY THE INDIVIDUALS WITH
45 DISABILITIES EDUCATION ACT (20 UNITED STATES CODE SECTIONS 1431-1444) AND

1 THE FAMILY SHALL BE INFORMED IF A SERVICE OPTION IS NOT COVERED, IN WHOLE
2 OR IN PART. THE RESOURCE GUIDE SHALL INCLUDE:
3 1. INFORMATION ON THERAPY SERVICES, INCLUDING OCCUPATIONAL THERAPY,
4 PHYSICAL THERAPY, APPLIED BEHAVIORAL ANALYSIS AND SPEECH-LANGUAGE
5 PATHOLOGY.
6 2. INFORMATION ON TECHNOLOGY SERVICES AND LANGUAGE ACQUISITION
7 RESOURCES INCLUDING ALL OF THE FOLLOWING:
8 (a) HEARING AIDS.
9 (b) COCHLEAR OR BRAINSTEM IMPLANTS.
10 (c) BONE-ANCHORED HEARING AIDS.
11 (d) OTHER ASSISTIVE DEVICES.
12 (e) AMERICAN SIGN LANGUAGE.
13 (f) LISTENING AND SPOKEN LANGUAGE.
14 (g) MANUALLY CODED ENGLISH.
15 (h) CUED SPEECH.
16 (i) SPEECH READING.
17 F. FOR AN INFANT OR TODDLER IDENTIFIED WITH HEARING IMPAIRMENT, A
18 FAMILY MAY CHOOSE TO ENGAGE AN AUDIOLOGIST IN THE INITIAL OR SUBSEQUENT
19 FAMILY SERVICE PLAN MEETING WHERE THE INDIVIDUALIZED FAMILY SERVICE PLAN
20 IS ESTABLISHED OR DISCUSSED TO PROVIDE PROFESSIONAL AND CLINICAL
21 INFORMATION.
22 G. AGENCIES THAT PROVIDE SERVICES AND PARTICIPATE IN THE SYSTEM OF
23 EARLY INTERVENTION PROGRAMS AND SERVICES SHALL HAVE AN UPDATED ELECTRONIC
24 COPY OF THE EARLY INTERVENTION PROGRAM COMMUNITY RESOURCE GUIDE AVAILABLE
25 TO FAMILIES.
26 H. THE INTERGOVERNMENTAL AGREEMENTS DEVELOPED AND IMPLEMENTED BY
27 THE DEPARTMENT PURSUANT TO THIS SECTION SHALL HAVE A PROCESS TO ALLOW, TO
28 THE MAXIMUM EXTENT APPROPRIATE, PARENTS TO CHOOSE A NATURAL ENVIRONMENT
29 FOR SERVICES IN WHICH INFANTS AND TODDLERS WITH DISABILITIES PARTICIPATE,
30 INCLUDING THE HOME AND COMMUNITY BASED SETTINGS IN WHICH CHILDREN WITHOUT
31 DISABILITIES PARTICIPATE.
32 I. THE DEPARTMENT SHALL CREATE A PROCESS BY WHICH A FAMILY THAT HAS
33 BEEN REFERRED TO EARLY INTERVENTION PROGRAMS AND SERVICES CAN REQUEST A
34 DIFFERENT SERVICE COORDINATOR FOR THEIR EARLY INTERVENTION SERVICES.

APPROVED BY THE GOVERNOR APRIL 10, 2024.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 10, 2024.