

INITIAL STATEMENT OF REASONS

PROPOSED AMENDMENT OF STATE REGULATIONS
REGARDING THE EARLY START PROGRAM

I. PROBLEM STATEMENT

The Department of Developmental Services (Department) is the lead agency for the Early Start program. This program provides early intervention services to infants and toddlers who have a developmental delay or have a condition that has a high probability of leading to a developmental delay or disability. Through the Department, the State receives federal funding that supports the early intervention services provided to eligible infants and toddlers and their families. As a condition of receiving this federal funding, the Department must ensure that all State policies align with the requirements of Part C of the federal Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Sec. 1431 et seq.).

II. BENEFITS

The proposed amendment to CCR Title 17, Division 2, Chapter 2 - Early Intervention Services aligns the State's regulations with Part C of IDEA, which is required for the State to obtain federal funding for early intervention services for eligible infants, toddlers, and their families who are in the Early Start program.

III. PURPOSE OF PROPOSED AMENDMENTS

The proposed amendment summarized below is required to align with federal statute and regulation.

§52000(b). Meaning of Words.

(6): To add the definition of "assistive technology service" as specified in the requirements of Part C of IDEA, Sec. 303.13 (b) (1) (ii).

IV. NECESSITY

The proposed amendment is needed to align the State's regulations with the requirements of Part C of IDEA. This is necessary to maintain the approximately \$54 million the State receives annually to fund early intervention services for eligible infants, toddlers, and their families who are in the Early Start program.

V. TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

The proposed amendment is required to align the State's regulations with the requirements of Part C of IDEA, specifically with [Sec. 303.13 \(b\) \(1\) \(ii\)](#).

VI. ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The proposed amendment does not represent any policy shift in administering the Early Start program for the State. Therefore, the Department forecasts no economic impact and concludes that it is: (1) unlikely that the proposal will eliminate any jobs for the Early Start program service providers, (2) unlikely that the proposal will create an unknown number of jobs for service providers, (3) unlikely that the proposal will create an unknown number of new businesses providing services in the Early Start program, (4) unlikely that the proposal will eliminate any existing businesses, and (5) unlikely that the proposed regulations will result in the expansion of businesses currently doing business within the state.

The proposed amendment will indirectly impact the health and welfare of the infants and toddlers in the Early Start program as the proposed amendment ensures the continuity of the federal grant which sustains these services.

Additionally, the proposed amendment does not impose any new impact on worker safety and the State's environment.

VII. EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The Department finds that the proposed change presents no significant adverse economic impact and is unlikely to affect businesses statewide, including small businesses, because the small businesses and vendors that provide services for individuals with disabilities in the state already provide these services under the definitions specified in provisions of law.

VIII. REASONABLE ALTERNATIVES TO THE REGULATION AND THE AGENCY'S REASONS FOR REJECTING THOSE ACTIVITIES

To maintain federal funding for the Early Start program, the Department is required to demonstrate that state policies align with federal statute and regulation. Since regulations are utilized by the Department to implement statute governing the Early Start program, no other alternatives were considered.

IX. DUPLICATION OR CONFLICT WITH FEDERAL REGULATIONS

There is no known conflict with federal regulations.