

# Rhode Island Early Intervention Certification Standards

## Policies and Procedures

### XIII. General Supervision

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The Rhode Island Executive Office of Health and Human Services (EOHHS) is the lead agency for Rhode Island's Early Intervention System. EOHHS is responsible for the administration and oversight of the local Early Intervention Programs. The general supervision system in Rhode Island includes multiple methods (or components) to ensure implementation of IDEA 2004, identify and correct noncompliance, facilitate improvement, and support practices that improve results and functional outcomes for children and their families.

There are eight major components to Rhode Island's General Supervision System. Although each of the following components are described separately, they work together to ensure ongoing quality improvement for all aspects of the system. The components are: State Performance Plan/Annual Performance Report (SPP/APR), Rhode Island Early Intervention Certification Standards, Rhode Island Early Intervention Care and Coordination System (RIEICCS), Integrated Monitoring Activities, Improvement, Correction, Incentives, and Sanctions, Targeted Technical Assistance, Fiscal Management, Complaints, Dispute Resolution.

#### **Rhode Island Early Intervention Certification Standards**

The Executive Office of Health and Human Services (EOHHS) has developed a set of standards to ensure compliance with IDEA and to ensure the provision of quality services and supports to eligible infants and toddlers and their families

- The Rhode Island Early Intervention Certification Standards establish the policies and procedures required to be followed by all certified Early Intervention providers.
- Revisions to the Rhode Island Early Intervention Certification Standards are made available for public review and comment.
- EOHHS is responsible for the oversight and monitoring of compliance of the Rhode Island Early Intervention Certification standards.

#### **State Performance Plan/Annual Performance Report (SPP/APR)**

The State Performance Plan (SPP) is a multi-year performance plan required by the Office of Special Education Programs (OSEP) that evaluates Rhode Island's efforts to implement the requirements of the Individuals With Disabilities Education Act (IDEA 2004).

- The SPP illustrates Rhode Island's plan for continuous improvement.
- Rigorous and measurable targets are established for each indicator.
- The Annual Performance Report (APR) details progress on the SPP indicators on an annual basis for the state and each certified Early Intervention provider. The SPP/APR is available to the public on the EOHHS website.
- The Interagency Coordinating Council (ICC) reviews the SPP/APR prior to submission to the Office of Special Education and RI Governor's Office.

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#### **Rhode Island Early Intervention Care and Coordination System (RIECCS)**

EOHHS uses a statewide data system to monitor and improve the performance of all certified Early Intervention providers.

- Providers are responsible for entering information into a secure, web based data system known as the Rhode Island Early Intervention Care Coordination System (RIECCS), powered by Welligent. Providers are responsible for the entry of accurate, reliable and valid information.
- Data from this system is utilized for monitoring and reporting in the SPP/APR.
- Early Intervention providers must have a Quality Assurance Plan which includes a process for correction of errors, and utilizing reports in the system to improve their data.
- The data system includes a number of standard management reports. Data is verified through annual on-site monitoring.

#### **Integrated Monitoring Activities**

Program monitoring is conducted to measure the performance of Early Intervention providers in meeting IDEA requirements and compliance with the Rhode Island Early Intervention Certification Standards. EOHHS utilizes multiple methods including but not limited to self-assessments; examination of program data and site visits to monitor certified Early Intervention providers for both compliance and quality. EOHHS monitors all programs annually regarding SPP/APR indicators and other related requirements and priority areas identified by the state.

#### **Annual Program Self-Assessments**

- Self-Assessments are conducted annually by each certified provider by examining 10% (or 20 records, whichever is greater) of the records of all children referred and enrolled during January 1-June 30 (or at least 20 records). 25% of these records (or no less than 10) are children enrolled in the reporting period who are 28-33 months of age.
- EOHHS provides programs a format for the self-assessment. Criteria for compliance are specified. A random selection of records is identified for review.
- The Self-Assessment is intended to serve as both an internal quality assurance tool and to report on adherence to Part C IDEA requirements and performance standards/targets as set forth in the RI Early Intervention Certification Standards and the RI State Performance Plan.

#### **Annual Data Review**

- EOHHS conducts an annual review of data for all required indicators as well as other related requirements. The reporting period is July 1-June 30.
- EOHHS compares the annual review to the self-assessment results to verify self-assessment data provided.

#### **Site Visits**

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- EOHHS conducts annual on-site visits for all providers.
- On-site monitoring includes file reviews, program interviews, and additional activities as determined necessary by EOHHS.
- The state verifies the self-assessment data by examining the actual record for at least 25% of the self-assessment data.
- Any discrepancy between the EOHHS review of a record and the self-assessment is discussed with the provider and technical assistance is provided when necessary.
- All federal compliance indicators are expected to be at 100%. The federal definition of a finding is any record with identified non-compliance to a requirement of IDEA.

#### Findings Identified

- If a finding of non-compliance is identified through focused monitoring or by any other means, the program must submit a Corrective Action Plan (CAP) specific to each finding and must include:
  - A description of the factors that contributed to the non-compliance (root cause);
  - A description of how the finding will be corrected; Specific steps to be taken, by whom; and by what date.
- Technical assistance is available to providers to complete an effective root cause analysis of the non-compliance, for the development of the plan(s), and to support correction of non-compliance.
- The Corrective Action Plan must be submitted to EOHHS for approval.
- Training and technical assistance will also be offered or required based on the level of non-compliance.

#### Closing of a Finding

- Providers are required to submit evidence of correction (i.e. completion of agreed upon activities, progress reports, and data sample) to EOHHS no later than one year from the date the letter of finding was issued.
- EOHHS, upon verification of the evidence of correction will close the finding. EOHHS will send written documentation of the closing of finding to the provider. If a provider does not demonstrate correction of non-compliance within one year, enforcement actions will be imposed including sanctions Additional reporting requirements;
- Specific directives to address the root cause for the non-compliance;
- Increased ongoing on-site monitoring and technical assistance;
- Closure to new-referrals;

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- Financial sanctions;
- Change of certification status to provisional certification; and termination of certification.

#### **Termination of Certification Status**

- The provision of Early Intervention services may be terminated by a certified Provider with at least sixty (60) days prior written notice to EOHHS. The provider must send any request for termination to: The RI Executive Office of Health and Human Services, Part C Coordinator, Hazard Bldg # 74 1st Floor, West Road, Cranston, RI 02920. In such an event the Provider is responsible for the development and implementation of a transition plan for all enrolled families to other Certified EI Providers.
- The provision of Early Intervention services may be terminated by EOHHS by revoking the certification status of an EI provider. Continued uncorrected non-compliance by a provider may result in sanctions by EOHHS up to and including revoking the certification. In such an event, EOHHS will provide at least 60 days' notice. It is the responsibility of the provider to ensure the transition of all families to other providers.
- EOHHS reserves the right to immediately terminate a provider's certification status in response to events (i.e. loss of license; criminal charges) that in any way impair the provider's ability to provide Early Intervention.

#### **Targeted Performance Improvement**

- Targeted performance improvement is used by the State as part of focused monitoring for areas identified by the state in need of improvement which are not compliance indicators but related to results indicators or performance. Data sources may include annual self-assessment, or a targeted review of written materials such as the Individualized Family Service Plan or Services Rendered Forms.
- When an indicator targeted for improvement is not met a Performance Improvement Plan (PIP) is required to address the performance area in need of change; improvement strategies to be implemented and identification of the specific data which will indicate improvement. Training and technical assistance is offered.
- Performance Improvement Plans are submitted to EOHHS for approval and a final progress report including data related to improvement must be submitted by the provider.

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#### Rhode Island Early Intervention Determinations

RI is required to make a determination annually under IDEA (*34 CFR §303.700*) on the performance of each Early Intervention program.

- RI uses the four categories used by the Office of Special Programs (OSEP) in making determinations. These categories include:
  - meets requirements;
  - needs assistance;
  - needs intervention; and
  - needs substantial intervention.
- In making determinations RI must consider:
  - performance on compliance indicators;
  - whether data submitted by Early Intervention programs is valid, reliable, and timely;
  - uncorrected noncompliance from other sources; and
  - any audit findings.
- In making determinations RI may consider:
  - results on performance indicators; and
  - other information
- Each Early Intervention program is informed of their determination by a formal letter, following the completion of focused monitoring visits.
- Enforcement actions are required as listed in IDEA *34 CFR §303.700*. These may include imposing special conditions, development of compliance agreements, requirement of corrective action or program improvement plans, and technical assistance.
- Determinations are made based on statewide data for the review period, information gathered during an on-site focused monitoring visits, and degree of non-compliance.
- Each year upon sufficient federal funding and at the discretion of EOHHS, an annual incentive is provided for certified Early Intervention providers who have received a determination of “Meets Requirements”. A Program must have an enrollment of at least 100 children during the period reviewed to be eligible.

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#### Rhode Island Early Intervention Determinations

Determination	Criteria (1) (2)	Enforcement
Meets Requirements	Substantial compliance on all compliance indicators and/or significant improvement on all compliance indicators that were not in substantial compliance. Data is considered timely, reliable, and valid. Findings of non-compliance are corrected timely.	TA will be provided up on request and a letter of recognition will be sent to provider.
Needs Assistance	One or two indicators did not meet substantial compliance and/or significant improvement not demonstrated on all compliance indicators that did not meet substantial compliance. Data is considered timely, reliable, and valid. Findings of non-compliance are corrected timely.	TA will be offered and encouraged to address areas in need of assistance
Needs Assistance (2)	2 <sup>nd</sup> year of needs assistance	TA will be offered and encouraged to address areas in need of assistance. Submit a report to EOHHS indicating use of TA.
Needs Intervention	Three or more indicators did not meet substantial compliance and/or significant improvement not demonstrated on some compliance indicators. Data may not be considered timely, reliable, and valid. Findings of non-compliance may not be corrected timely. Programs that would fall in NA for the third year will be placed in this category	TA will be required to address areas in need of intervention. Submit a report to EOHHS indicating use of TA.
Needs Intervention (2)	2 <sup>nd</sup> year of needs intervention	TA will be required to address areas in need of intervention
Needs Intervention (3)	3 <sup>rd</sup> year of needs intervention	Program will be required to adhere to compliance agreement in order to correct the identified area(s) in need of intervention
Needs Substantial Intervention	Substantial compliance not met for any compliance indicator and significant improvement not demonstrated on any compliance indicator and/or provider unwilling to comply. Data may not be considered timely, reliable, and valid. Findings of non-compliance may not be corrected timely. Programs that would fall in NI for the fourth year will be placed in this category.	Funds to provider will be withheld in whole or part.

(1) Substantial compliance = 90% or greater

(2) Significant improvement = see attachment A

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#### Targeted Technical Assistance

##### Targeted Technical Assistance

Training and technical assistance is used to ensure implementation of IDEA requirements and implementation of evidence-based practices by local Early Intervention programs.

- Rhode Island analyzes data from the Annual Self- Assessment and on site monitoring to develop an annual training and technical assistance plan. The plan outlines statewide technical assistance and training that is directly linked to the SPP/APR and state monitoring indicators, state improvement activities, state monitoring activities, and complaints/disputes. The state provides statewide and individual training and technical assistance based on the plan to local Early Intervention programs in enhancing their performance, correcting noncompliance, and improving results for children and families.
- Training and technical assistance staff participate in all integrated monitoring activities, review data and monitoring reports to inform the content of training materials and identification of specific programs that need assistance.
- Technical assistance documents to address training needs discovered through on site monitoring and self-assessment activities and to promote effective and evidence-based EI practices are developed, distributed and posted publically.

#### Fiscal Management

##### Fiscal Management

The Rhode Island system of general supervision includes mechanisms to provide oversight in the distribution and use of funds in accordance with federal regulations.

- Provider reimbursement for EI services must in compliance with the latest version of the *Rhode Island Medical Assistance Claim Reimbursement Guidebook for Early Intervention Services*.
- Providers must have an internal quality assurance plan which includes a review process to ensure adherence to billing guidelines.
- EOHHS uses the state data system to monitor costs of Early Intervention services.
- The state reviews Early Intervention Services Rendered Forms as a part of focused monitoring and conducts an annual review of billing practices for each certified provider. Program improvement plans are required to correct systemic billing errors.
- Fiscal resources are directed to areas needing improvement as indicated in the SSP/APR.
- Early Intervention providers must submit an annual financial report to EOHHS. The report must include income and expenses for the Early Intervention program including Early Intervention program revenue by funding source (by insurance carrier, Medicaid, grants, other (specify) ; Early Intervention expenses include Personnel (by position and FTE); Payroll taxes; benefits; contractors (specify role); general and office expenses; occupancy; transportation, travel, professional development and any other program expenses (specified).

#### Complaints Dispute Resolution

EOHHS monitors complaints/dispute resolution to track issues and identify technical assistance needs of Early Intervention providers and statewide training, or policy needs.

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### Attachment A - Significant Improvement Table

(For indicators under 90% compliant: Non-compliance must be improved by 50%  
For indicators at or over 90% compliant: Non-compliance must be improved by 5%)

Percentage Points			Percentage Points			Percentage Points		
Current Compliance	Needed to Improve	Next Year's Target	Current Compliance	Needed to Improve	Next Year's Target	Current Compliance	Needed to Improve	Next Year's Target
100								
99	1.00%	100.00%	66	12.00%	78.00%	33	28.50%	61.50%
98	0.10%	98.10%	65	12.50%	77.50%	32	29.00%	61.00%
97	0.15%	97.15%	64	13.00%	77.00%	31	29.50%	60.50%
96	0.20%	96.20%	63	13.50%	76.50%	30	30.00%	60.00%
95	0.25%	95.25%	62	14.00%	76.00%	29	30.50%	59.50%
94	0.30%	94.30%	61	14.50%	75.50%	28	31.00%	59.00%
93	0.35%	93.35%	60	15.00%	75.00%	27	31.50%	58.50%
92	0.40%	92.40%	59	15.50%	74.50%	26	32.00%	58.00%
91	0.45%	91.45%	58	16.00%	74.00%	25	32.50%	57.50%
90	0.50%	90.50%	57	16.50%	73.50%	24	33.00%	57.00%
89	0.50%	89.50%	56	17.00%	73.00%	23	33.50%	56.50%
88	1.00%	89.00%	55	17.50%	72.50%	22	34.00%	56.00%
87	1.50%	88.50%	54	18.00%	72.00%	21	34.50%	55.50%
86	2.00%	88.00%	53	18.50%	71.50%	20	35.00%	55.00%
85	2.50%	87.50%	52	19.00%	71.00%	19	35.50%	54.50%
84	3.00%	87.00%	51	19.50%	70.50%	18	36.00%	54.00%
83	3.50%	86.50%	50	20.00%	70.00%	17	36.50%	53.50%
82	4.00%	86.00%	49	20.50%	69.50%	16	37.00%	53.00%
81	4.50%	85.50%	48	21.00%	69.00%	15	37.50%	52.50%
80	5.00%	85.00%	47	21.50%	68.50%	14	38.00%	52.00%
79	5.50%	84.50%	46	22.00%	68.00%	13	38.50%	51.50%
78	6.00%	84.00%	45	22.50%	67.50%	12	39.00%	51.00%
77	6.50%	83.50%	44	23.00%	67.00%	11	39.50%	50.50%
76	7.00%	83.00%	43	23.50%	66.50%	10	40.00%	50.00%
75	7.50%	82.50%	42	24.00%	66.00%	9	40.50%	49.50%
74	8.00%	82.00%	41	24.50%	65.50%	8	41.00%	49.00%
73	8.50%	81.50%	40	25.00%	65.00%	7	41.50%	48.50%
72	9.00%	81.00%	39	25.50%	64.50%	6	42.00%	48.00%
71	9.50%	80.50%	38	26.00%	64.00%	5	42.50%	47.50%
70	10.00%	80.00%	37	26.50%	63.50%	4	43.00%	47.00%
69	10.50%	79.50%	36	27.00%	63.00%	3	43.50%	46.50%



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68	11.00%	79.00%	35	27.50%	62.50%	2	44.00%	46.00%
67	11.50%	78.50%	34	28.00%	62.00%	1	44.50%	45.50%