

Part C State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

The Department of Economic Security, Arizona Early Intervention Program (DES/AzEIP) and its Interagency Coordinating Council (ICC) have established an annual cycle to engage stakeholders in the preparation of Arizona’s Annual Performance Report (APR) under Part C of the Individuals with Disabilities Education Act (IDEA.):

- On September 14, 2013, DES/AzEIP presented to the ICC an overview of the State Performance Plan (SPP) and Annual Performance Plan (APR), including the components of the SPP/APR and the specific Indicators, measurements and data source(s).
- On November 9, 2012 DES/AzEIP held a stakeholder meeting in place of the regular ICC Committee meetings. Notification of the Stakeholders meeting was sent out to the ICC members, the ICC Committee members and the broader early intervention community. The focus of the meeting was on Indicator 8A, IFSP Transition Steps and Services, 8B, PEA Notification and 8C, Transition Conference. Stakeholders discussed reasons for slippage, and recommended improvement activities that have been considered and, as appropriate, incorporated into the APR.
- A draft of the APR was posted on the AzEIP website in January for review and public input.
- On January 13, 2012, DES/AzEIP presented the final APR data and improvement strategies described its progress and slippage, to the ICC. The ICC voted to certify the APR at that time. DES/AzEIP will post the final APR and SPP on its website at www.azdes.gov/AzEIP.

In addition to having Arizona stakeholders review and revise the draft APR, DES/AzEIP received helpful reviews from the Early Childhood Technical Assistance Center (ECTA), the Early Childhood Outcomes Center (ECO), and the Mountain Plains Regional Resource Center (MPRRC).

Monitoring Priority: Early Intervention Services In Natural Environments

Indicator 1: Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.

(20 U.S.C. 1416(a)(3)(A) and 1442)

Measurement:

Percent = [(# of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner) divided by the (total # of infants and toddlers with IFSPs)] times 100.

Account for untimely receipt of services, including the reasons for delays.

FFY	Measurable and Rigorous Target
FFY 2011	100%

Actual Target Data for FFY 2011:

78%

Timely services data were gathered through self-report process from eleven (11) Early Intervention Programs (EIPs) within a period of time designated by AzEIP. Eight EIPs were required to submit self-report data on September 15, 2011. The State reviewed and verified the data and issued Determination letters in December 2011, which included findings of noncompliance. In addition, three EIPs submitted self-report data of all child files with IFSPs, with a new service on initial, annual or other reviews, from January 1, 2012 to March 30, 2012, which coincided with an on-site review process.

Arizona’s definition of timely IFSP services: All newly identified IFSP services must be provided within 45 days of the parent’s consent to the IFSP **OR**, if the planned start date is greater than 45 days from the parent’s consent, the service must start on or before the planned start date for that service. The denominator and numerator include children for whom the delay was due to exceptional family circumstances.

Infants and Toddlers with IFSPs who receive Early Intervention Services in a Timely Manner:

A. Number of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.	215
B. Total number of infants and toddlers with IFSPs.	275
Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner (Percent = [(b) divided by (a)] times 100).	78%

Accounting for untimely services:

- For the 15 Early Intervention Programs who completed a Self-Report during FFY 2011, 78 percent (215/275) of the infants and toddlers received their IFSP services in a timely manner.
 - Seven percent (16/215) of the infants and toddlers had timely service delays due to exceptional family circumstances. These infants and toddlers are included in the numerator and the denominator.
 - AzEIP verified documentation of the exceptional family circumstances through review of child files.
- All of the infants and toddlers, who were still in the jurisdiction of the EIPs, received their IFSP services, although late. AzEIP verified this through review of submitted documentation of the actual start date for each service.
- 60 infants and toddlers did not receive their IFSP services timely due to system delays.
 - Of those sixty, four were AzEIP-only eligible and were served by the AzEIP Team-Based Early Intervention Services (TBEIS) providers.
 - Two of the infants and toddlers were in the same EIP serving a very rural area of the State. There was no documentation in either child’s record of the actual start date of services.
 - The remaining two infants and toddlers were each being served by a different EIP, but the EIPs were under the same organization. The reason for delays in both instances was due to the lack of coordination across the service coordinator and IFSP team members.
 - The remaining fifty-four of the sixty infants and toddlers were eligible for and being served by five EIPs in the Division of Developmental Disabilities.

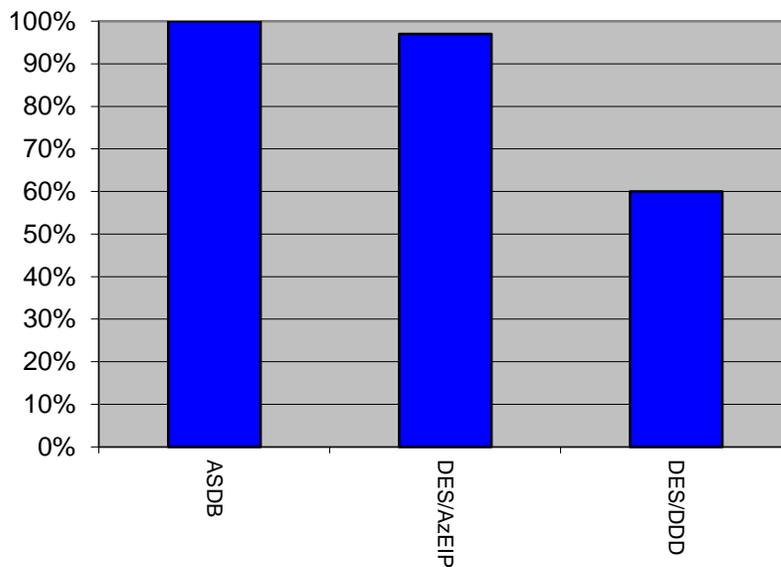
- Three of the five EIPs that did not provide timely services were in the rural areas of the State. However, this only included 21 percent (12/56) of the infants and toddlers with delays in services.
- The remaining two EIPs were in the urban areas of Arizona, Maricopa and Pima Counties and accounted for the remaining 79 percent (44/56) of infants and toddlers that did not receive timely services

Eight findings of noncompliance were made during FFY 2011.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2011:

The State did not meet its target of 100% for FFY 2011. The State did not experience progress or slippage as it maintained its 78% compliance from FFY 2010 to FFY 2011. The low percentage of compliance for timely services was related to services provided through the Division of Developmental Disabilities. The graph below illustrates the vast differences in compliance when compared to the Arizona State Schools for the Deaf and the Blind, and the DES/AzEIP Team-Based Early Intervention Services programs.

**Timely Services by AzEIP Service Providing Agency
FFY2011**



As part of State’s integrated monitoring activities, four of the five DDD EIPs were selected for a site review based on the review and analysis of all available data used by the State to identify and correct noncompliance. During the site review, the State team, and each EIP, including the supervisors, service coordinators, service providers, and families conducted a root cause analysis, using the Local Contributing Factor tool. Based on the process, the following factors contributing to the delays emerged and were consistent across all four of the DDD EIPs:

1) Policies and Procedures:

a) Although DDD adopted AzEIP policies and procedures in 2010, and incorporated them into their agency’s policies, statewide data gathered from unit supervisors, service coordinators, therapy and Developmental Special Instruction (DSI) providers demonstrated DDD did not take sufficient measures to notify their employees and contracted providers of the policy changes, nor did DDD implement measures

to ensure comprehension of and compliance with the policy changes, specifically as it relates to the clearly outlined timely service requirements.

2) Infrastructure:

a) DDD's qualified vendor process permits contracted providers the option to select which children and families to provide early intervention services to based on personal preferences, rather than requiring all vendors to serve all children. Data gathered during interviews with vendors' revealed decisions to serve children were based on a child's diagnosis, demographic location, and provider's availability, rather than on the family's identified needs as indicated on the IFSP and/or the family's availability.

b) In the three EIPs located in the rural areas of the State, DDD has had difficulty recruiting and retaining therapists in those areas. While there are some therapists willing to travel from the larger urban areas of the State, many of them have difficulty sustaining the travel over long periods of time. As a result, DDD has difficulty ensuring timely services for all infants and toddlers.

3) Supervision:

a) Supervisors were not completing routine reviews of service coordinator files to ensure compliance with AzEIP policies and procedures, specifically as it relates to service coordinators following up with qualified vendors and DSI to verify the timely start of services and documentation of actual start dates on IFSPs

b) The DDD service coordinators in the rural areas typically provide service coordination to children b-3 and also provide case management for individuals throughout the life span. As a result, the supervisors in the rural areas are not well versed in the AzEIP policies and procedures and have to rely on other DDD representatives to provide guidance and support to their service coordinators regarding specific early intervention requirements and practices.

c) DDD does not enforce their requirement that the qualified vendor submit documentation of the actual start date of services to the service coordinator.

4) Data

During the site review and discussions, it was clear that many of the specific system reasons for delays were not known as the service coordinators did not document their activities related to assisting the family in accessing their IFSP services nor did they document the actual start dates for services.

As describe above, AzEIP required the EIPs to utilize Root Cause Analysis processes to identify challenges and barriers to correction of noncompliance:

- The results of the root cause analysis resulted in:
 - Programs being required to developed Corrective Actions Plans (CAP) inclusive of strategies and activities to increase program knowledge of AzEIP policies and procedures as well as internal procedures to ensure ongoing and continuous compliance with timely service requirements
 - Progress and completion of program identified strategies assessed through routine follow up through status check calls and file reviews to verify correction of noncompliance and ongoing and continuous compliance with timely service requirements
 - AzEIP Technical Assistance and Monitoring Specialist (TAMS) and DDD Liaisons supporting program supervisors with the design and development of internal procedures and training of AzEIP policies and procedures, to promote program capacity to provide ongoing and as needed training to their staff.

To ensure all DDD eligible children in the State received timely services, DES/AzEIP implemented Timely Services Procedures and provided statewide training. These procedures outline specific steps and timelines that must be followed when a child is determined eligible for DDD. If DDD is unable to identify a provider and ensure timely provision on all IFSPs services within the identified timeline, the family receives their early intervention services through the DES/AzEIP Team-Based Early Intervention Services (TBEIS) contractor. The procedures require the DDD service coordinators to utilize a specific tracking tool to

ensure activities are documented within required timelines and families are provided services through the AzEIP TBEIS in a timely manner when DDD is unable to do so.

The Department of Economic Security (DES) issued Request for Proposal (RFP) for team-based early intervention services. Contracts awarded as a result of this Request for Proposal will establish the infrastructure to support service coordinators, speech–language pathologists, physical therapists, occupational therapists, developmental special instructionists, social work professionals and psychologists to work as a team in supporting families. The contracts will be administered by the Department’s Arizona Early Intervention Program (DES/AzEIP) and serve all families and their children, birth to three years of age, who are eligible for the Division of Developmental Disabilities (DDD), Arizona State Schools for the Deaf and the Blind (ASDB), and AzEIP (a.k.a. AzEIP-only). DDD and ASDB will retain service coordination responsibilities for some DDD and/or ASDB eligible children and their families, including children enrolled in the Arizona Long Term Care System. This direction aligns contracts with evidence-based practice, establishes a uniform contract and rate structure for the Department’s most frequently utilized early intervention services, and responds to challenges with ensuring timely services in all areas of the State. Contracts were awarded in November 2012 and will be implemented in March 2013.

See attachment A for an additional description of the FFY 2011 Improvement Activities

Correction of FFY 2010 Findings of Noncompliance (if State reported less than 100 percent compliance):

Level of compliance (actual target data) State reported for FFY 2010 for this indicator: 78 percent

1. Number of findings of noncompliance the State made during FFY 2010 (the period from July 1, 2010, through June 30, 2011).	5
2. Number of FFY 2010 findings the State verified as timely corrected (verified as corrected within one year from the date of notification to the EIS program of the finding).	2
3. Number of FFY 2010 findings <u>not</u> verified as corrected within one year [(1) minus (2)].	3

Correction of FFY 2010 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2010 findings not timely corrected (same as the number from (3) above)	3
5. Number of FFY 2010 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	3
6. Number of FFY 2010 findings <u>not</u> verified as corrected [(4) minus (5)]	0

Demonstrating Correction as outlined in 09-02 Memo

1. Accounting for All Instances of Noncompliance:

- The State accounted for all instances of noncompliance as identified through its Three Year Self-Report Cycle

2. In FFY 2010 Noncompliance Occurred in Five EIPs as Follows:

Five EIPs had noncompliance identified in 143/183 children (78 percent compliance). Five (5) findings of noncompliance were issued.

- Root causes of the noncompliance in the 3 DDD EIP included:
 - a. Policies and Procedures:
 1. Service coordinators, therapy and DSI providers, particularly in rural areas were unaware that their agency had adopted the AzEIP policies and procedures, which clearly outline timely service requirements
 2. Service coordinators, across each of the EIPs, did not have procedures for tracking each infant and toddlers IFSP to ensure all IFSP services started within the required timelines
 - b. Infrastructure:
 1. DDD qualified vendor process for identifying and accessing services does not require the vendors to serve all children. Interviews with the vendors, specifically in Maricopa County, revealed their decisions to serve children are based on zip codes, child's diagnosis and available time slots rather on the IFSP needs for children
 2. Availability of therapists in rural areas is limited
- Root causes of the noncompliance in the two DES/AzEIP EIPs included:
 - a. One EIP did not follow the AzEIP procedures for accessing services through the child's acute care Medicaid health plan, which requires the program to initiate service(s) if the provider through the health plan is unable to provide the service(s) timely
 - b. One provider did not have adequate staffing of therapist to ensure timely services

3. To Address the Noncompliance, the State Required the EIPs to:

- The DDD EIPs were required to identify additional service providers and to implement procedures for the service coordinator to track services needed and steps taken to ensure service providers are identified and initiate all IFSP services in a timely manner.
- DDD EIPs were required to implement the Timely Services Procedures when DDD was unable to provide IFSP services timely.
- The DES/AzEIP EIPs were required to ensure service coordinators implement the AzEIP procedures when accessing IFSP services through the child's Medicaid Health Plan and to recruit additional therapists to ensure their EIP has the capacity to provide timely services for all eligible children.

4. Verification of Correction of FFY 2010 Findings of Noncompliance (either timely or subsequent):

- Prong 1: To ensure correction of child-specific noncompliance, the State verified that the EIPs initiated services for each child, although late, by reviewing documentation submitted by the EIP that reflected the actual start date the service(s) were initiated for each child who did not receive timely provision of services.
- Prong 2: To ensure the program was correctly implementing the timely service provision requirements (i.e., achieved 100 percent compliance) in 34 CFR §§

303.340(c), 303.342(e), and 303.344(f)(1) a subsequent follow up on-site review of child files with IFSPs with a new service was conducted by the AzEIP TAMS. Review resulted in the program being at 100 percent compliance for timely provision of all IFSP services, indicating the program was implementing the timely service requirements.

Additional Information Required by OSEP’s APR Response Table for this Indicator (if applicable):

Statement from the Response Table	State’s Response
<p>The State must demonstrate, in the FFY 2011 APR, that the State is in compliance with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1)..</p>	<p>The State did not demonstrate, in the FFY 2011 APR, that the State was in compliance with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1).</p>
<p>Because the State reported less than 100% compliance for FFY 2010, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must report, in its FFY 2011 APR, that it has verified that each EIS program with noncompliance identified in the FFY 2010 for this indicator: (1) is correctly implementing 34 CFR §§303.340(c), 303.342(e), and 303.344(f)(1) (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has initiated services, although late, for any child whose services were not initiated in a timely manner, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).</p> <p>In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.</p>	<p>The State reported on the status of correction of noncompliance reflected in the FFY 2010 data</p> <p>The State reported that it has verified that each EIP with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR§303.340(c),303.342(e), and 303.344(f)(1) (i.e., achieved 100 percent compliance) based on updated data collected through on-site monitoring; and (2) has initiated services, although late, for any child whose services were not initiated in a timely manner, unless the child is no longer within the jurisdiction of the EIP, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). The State described the specific actions that were taken to verify the correction.</p>
<p>If the State does not report 100% compliance in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>	<p>Data for Indicator 1 in FFY 2010 APR is not reported to be at 100 percent compliance. Improvement activities were reviewed but not revised as the current improvement activities will be fully implemented. Specifically, in March 2013, the State will be implementing and administering newly awarded team-based early intervention services contracts, which will serve all AzEIP eligible children, including DDD eligible children. In addition AzEIP’s web-based data system I-TEAMS, which will manage child and family, professional, contractual, and general supervision data will also be</p>

	implemented in March 2013. Both of these are significant improvement activities that will assist in ensuring timely services for all children in all areas of the State. .
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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012

N/A The state reviewed its Improvement Activities and determined there are no revisions at this time.