



Early Intervention Family Alliance

www.EIFamilyAlliance.org

**EIFA WRITTEN STATEMENT REGARDING
THE FINAL INTERIM MEDICAID REGULATIONS ON CASE MANAGEMENT
42 CFR Parts 431, 440, and 441**

The Early Intervention Family Alliance (EIFA) is a national group of family leaders dedicated to improving outcomes for infants and toddlers with disabilities and their families by assuring meaningful family involvement in the development of policies related to Part C of the Individuals with Disabilities Education Act (IDEA) and implementation of those policies at the community, state and federal levels.

Part C of IDEA is designed to address the needs of infants and toddlers with disabilities and their families. The intent of Part C is to create a comprehensive system of coordinated services and supports to evaluate, diagnose and treat infants and toddlers with disabilities. Further it is the intent of Congress that states enhance and coordinate all federal, state and health resources including Medicaid, when addressing the needs of infants and toddlers with disabilities. Thus, changes that impact Medicaid funding and interpretations of what constitutes Medicaid services, will significantly affect this most vulnerable population and may severely restrict their ability to attain early intervention at a time when research has demonstrated that it is most effective.

The EIFA is concerned that these regulations are not proposed, but rather final interim regulations. We are concerned that states will have a short window of opportunity to review and revise current policies and practices related to utilizing Medicaid funds to provide service coordination services to infants and toddlers with disabilities. We urge CMS and the Office of Special Education Programs (OSEP) to work collaboratively on providing states with needed guidance on how these interim regulations will affect their policies, practices and funding mechanisms. We would have preferred to provide more specific comments; however, we have found the timeline constraining and have observed that the implications of the changes are not entirely clear.

Again, it is our goal to ensure that infants and toddlers receive the services and supports that they need. Under Part C of IDEA, service coordinators assist families to access and receive, on an ongoing basis, those services to improve outcomes for infants and toddlers with disabilities and their families. We are concerned that these changes will result in the loss of needed services by this most vulnerable population as states and localities respond to this interim regulation change.