



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Local System Managers
From: Catherine Hancock
Date: February 3, 2014
Subj: Change in "Inactive" Policy

There has been a change in the federal interpretation of requirements regarding children who are lost to contact (including repeated "no-shows"). The original interpretation was that these children must remain open to the early intervention system until their IFSP expired, and this is why Virginia has been using the inactive status for children in this situation.

The new interpretation allows that children who are lost to contact can be discharged as long as there are documented efforts to locate the child and the family has been notified in writing that their child will be discharged unless the family contacts the local early intervention system. Therefore, effective February 1, 2014, Virginia will discontinue the use of inactive status, and children who are lost to contact will be discharged. Please see the attached document regarding the steps to take in handling a no-show or other "lost to contact" situation. We are in the process of making targeted (rather than large-scale) revisions to the Practice Manual, and the information on the attached document will be included when those revisions are released later this month.

For children currently on inactive status, please complete the following steps no later than February 28, 2014:

- Send a letter to the family notifying them of the attempts to contact them, the services that are still available to them, the opportunity for an IFSP review if an IFSP has been developed, the need for them to contact their service coordinator if they wish to continue receiving services and that, otherwise, their child will be discharged from early intervention.
- Include with the letter a *Parental Prior Notice* form completed as follows:
 - In the top section, check "Other" and specify that "Your child will be discharged on {date – 10 calendar days from the date the letter and form are being sent} unless you contact us prior to that date." Allowing 10 calendar days before discharge takes into account the time it takes for mailing and the 5 days required for prior notice; and

- In the “Reason” section, indicate that you have been unable to contact the family since {date} and summarize all attempts to contact the family.
- Include an *Early Intervention Services - Notice of Action* letter if the child has Medicaid/FAMIS.

If no contact has been made by the family within 10 calendar days of sending the letter, then discharge the child. This process should ensure that by March 31, 2014 there will be no children listed as inactive in ITOTS.

Thank you for your assistance in making this transition away from using the inactive status. Your technical assistance consultant is available to help if you have questions.