

**New Jersey Early Intervention System
Family Cost Participation
Questions and Answers**

1. Why does the New Jersey Early Intervention System have a family cost participation system?

The Department of Health and Senior Services (DHSS), as lead agency for the New Jersey Early Intervention System (NJEIS), has worked closely over the years with an Early Intervention Stakeholder Task Force, a Finance Task Force and most recently the State Interagency Coordinating Council and Part C Steering Committee to provide recommendations on ways to improve the NJEIS to be more efficient, effective and fiscally responsible while continuing to meet the needs of eligible children and their families. These recommendations have supported the implementation of a family cost share for direct early intervention services based on a sliding fee scale for families at or above 350% of the Federal Poverty Level (FPL).

While Part B of the Federal Individuals with Disabilities Education Act (IDEA) requires education, special education and related services to be provided to eligible children (Age three to twenty-one years) at no cost to the family, Part C of IDEA for early intervention is very different. Part C requires states to have a “system of payments” for Part C early intervention services that could include the consideration of family cost participation (e.g., sliding fee scale). Therefore, a state system of payment for early intervention services that includes family payments is allowable under the federal Individuals with Disabilities Education Act (IDEA), Part C regulations.

The NJEIS has experienced an 8-20% annual growth in the number of eligible children and families needing early intervention services and the cost of providing early intervention services are likely to continue to escalate along with other health and educational costs and budgetary constraints. Federal Part C financing has not and probably will not keep pace to meet the need stemming from federal mandates and increasing growth in the number of eligible children and their families.

In light of the state budget situation and increasing State appropriation needed to support the NJEIS, the Administration and Legislature have directed the Department of Health and Senior Services to implement family cost participation policies and procedures to collect revenue for the NJEIS. The revenue from the family cost participation is used to increase and not reduce the state budget commitment to NJEIS.

2. Are all early intervention services subject to a family cost share?

No, federal law under Part C of IDEA requires that specific services be provided to eligible children and families at public expense. The services that cannot be subject to a family cost share include: child find/referral; evaluation/assessment; service coordination; Individualized Family Service Plan (IFSP) development and review; and procedural safeguards (family rights).

3. How is a family's monthly cost share determined?

The cost share is based on your family's NJEIS determined income and family size, minus any documented adjustments to income that were submitted and approved by the state. Collection of this information or your decision not to share income information determines a family's potential cost share for early intervention services. In order to access a sliding fee scale, the family must provide required income documentation for review and calculation of an NJEIS determined income. Household members are required to verify their income information used for the determination by signing an income verification form.

4. How frequently is a review of the family's financial situation required including updated financial information and or proof of income and when is the family required to complete new Family Cost Participation Income Verification and Payment Option Forms?

The family's financial situation must be reviewed and new paperwork completed with updated financial information and proof of income: (1) annually (usually coinciding with the IFSP date); (2) within thirty (30) days of a parent request to change income information, including an increase or reduction in income; (3) at the request of a parent to change their family cost participation option; or (4) as a result of a change in the NJEIS Family Cost Participation Policies and Procedures.

5. If a family has not filed or retained copies of their most recent tax return or if a family's condition has materially changed since the most recently filed state and federal 1040 tax return forms, what steps and documentation are required for determining the family's monthly cost share?

The family must provide copies of the most recent state and federal tax return available. In addition, paystubs and other appropriate documentation may be presented to document changes from the most recent tax records.

6. What happens if a family refuses or delays providing income information or signing the Family Cost Participation Income Verification and Payment Option Forms?

Unless there are extenuating circumstances, the family has a responsibility to complete and sign the Family Cost Participation Income Verification form for each household member with financial responsibility and a Payment Option Form prior to the Initial Individualized Family Service Plan (IFSP) team meeting.

Refusal to provide such information and acceptance of early intervention direct services identified in the IFSP will require that the family agree to take responsibility for the full cost of services or delaying the implementation of services pending the completion of an NJEIS Family Cost Participation Notice.

7. When do families begin receiving 'Family Cost Participation Statements' (bills) from the Central Management Office (CMO)?

Families will first receive documents from the CMO that provides information about the services that the family is scheduled to receive (authorizations) and an explanation of benefits (EOB) that provides information about the services received. The NJEIS will only bill a family for services that are provided to the child and family. To ensure this, the CMO will usually bill families 60 calendar days after the provider agency has been paid for the service. This allows time for all provider claims to be paid and most adjustments made before the family is billed for its family cost share. Adjustments include processing claims to Medicaid and crediting payments made by families.

While most providers will submit claims promptly, the NJEIS allows providers 90 days from the date of service to submit claims to the CMO. For example, the CMO may continue to accept claims through February for services delivered in December. Therefore, a family would not be billed until March for December services.

8. What happens if families do not pay? Who is responsible for ensuring the bill is paid?

The Department of Health and Senior Services, as lead agency for the Early Intervention System is responsible for ensuring that the family cost share is paid. If a payment is not received after thirty (30) calendar days of billing, the CMO will include the amount past due on a family's next Family Cost Participation Statement. Statements that include past due balances shall be accompanied by a final notice of non-payment stating that if payment is not received in fourteen (14) calendar days, services will be suspended. The notice will include a date of suspension.

9. How can I obtain additional information?

- a. If you have any questions about cost participation including the determination of your family's cost share, please contact your service coordinator.
- b. You can visit the web at www.nj.gov/health/fhs/eis/index.shtml. If you do not have access to internet, you may request the information from your service coordinator.
- c. If you have found errors on your explanation of benefits or the detail family cost statement related to services such as differences in the date or duration of services received, please call the state early intervention office, CMO Coordinator or designee at 609-777-7734.
- d. If you have questions on how to make payments, please contact the Central Management Office at the toll free number, 866-296-4094, extension 1.