

KDHE tiny-k Program Interim COVID-19 Guidance

Version #1: March 24, 2020

The following interim tiny-k program guidance for COVID-19 is in effect beginning March 25, 2020.

While we navigate this public health emergency it is important to remember that the evidence-based practices that tiny-k programs utilize have not changed and should continue to guide service provision regardless of the method or format being utilized. This includes the use of family centered, relationship-based practices delivered within the context learning opportunities found in every day activity and routines. The use of coaching with parents will be an invaluable tool at this time, one that Kansas providers and families have been using during visits for many years.

| TOPIC AREA | GUIDANCE |
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| General | <p>Follow the guidance, policies, and procedures of your home agency and local county health department/local health officer. The most current information always resides at the community level.</p> <ul style="list-style-type: none"> • Stay informed and know where to go for the most current information. Sources of accurate information include the CDC, KDHE, and your local county health department/local health officer. • Develop or update emergency preparedness and continuity of operations plans to address possible disruptions in program operations that include the following: <ul style="list-style-type: none"> ○ Critical functions and positions and plan for alternative coverage in the event of staff absences or closure; ○ Methods to communicate with staff and parents in the event of closure; and ○ Flexible sick leave policies that encourage staff to stay home when sick or when caring for sick family members. |
| Scheduling and Conducting Visits | <p>KDHE supports the use of telehealth (telephone, text, secure phone line and video conferencing through platforms such as Zoom) rather than in-person home visits, when possible and appropriate, to keep families connected with the home visitors while practicing social distancing and managing community risks.</p> <p>Please see <i>Guidance for Home Visitors_COVID19 V1 3-16-2020</i></p> |
| Documentation | <p>Any interruptions in tiny-k services occurring as a result of COVID-19 must be clearly documented in the child and family's early intervention record. All services delivered must be documented in the same format typically used. (i.e. session documents, home visit notes, FSC logs)</p> |

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| <p>Service Delivery Options</p> | <ul style="list-style-type: none"> • If the tiny-k local lead agency is closed due to public safety concerns, the tiny-k program is not required to provide services during the closure. • If the tiny-k local lead agency remains open, but Part C services cannot be provided in the child's natural learning environment due to the COVID-19 public health emergency, then services must be offered through alternate means (such as by phone or videoconferencing technology) consistent with protecting the health and safety of the child, family, and those providing services. • Regardless of the status of the local lead agency, a family may choose to pause in-person EI visits at any time as a precaution against COVID-19. • Regardless of the status of the local lead agency, a program may choose to pause EI visits for a short period of time (up to 7 days) to plan and implement strategies that will support the providers and families as it moves to virtual visits. The program must notify the family and specify the date services will pause and the date services resume. This communication must be documented in the EI record. • The FSC must clearly document all communication with the family regarding decision to pause services, including all related IFSP team communication, in the EI record. • It is not necessary to revise the IFSP to reflect changes in service delivery that occur during the COVID-19 public health emergency. Documentation in contact notes is sufficient. Once the state of emergency has passed, the FSC and EIS providers for each child must determine if the child's needs have changed and determine whether the IFSP team needs to meet to review the child's IFSP to determine whether any changes are needed. • Eligibility determination, assessment for service planning, initial and annual IFSP meetings, IFSP reviews, and IFSP services (including family service coordination) may be conducted/delivered virtually. • Transition plans and conferences can be held virtually. |
| <p>Methods for evaluation and assessment</p> | <ul style="list-style-type: none"> • As needed, evaluations and assessments may be completed with videoconferencing technology. • If a child is automatically eligible due to established risk for developmental delay, the child's assessment can be completed over the phone or virtual visit. Only one assessment team member is required to participate in the phone/virtual contact – the second provider can participate through a paper review. • A program coordinator can exercise discretion in determining the number of assessment team personnel to send for in-home evaluations and assessments. If only one team member meets with the family in-person, the FSC must ensure that another team member completes the paper review and contributes to the recommendations concerning the child's eligibility and service needs as applicable. • If an eligibility decision regarding informed clinical opinion or developmental delay needs to be made, at least two providers are still required however, virtual methods are allowed. • If a child is determined to be not eligible for services a prior written notice must be given to the family either electronically or by mail. |
| <p>Virtual visits for IFSP Services</p> | <p>Virtual visits for tiny-k services must be provided using videoconferencing technology in accordance with the following procedures:</p> <ul style="list-style-type: none"> • Virtual visits must be explained and discussed with the family and consent obtained before proceeding. |

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| | <ul style="list-style-type: none"> • IFSP services must be provided within the context of the PSP model and evidence-based practices. Joint visits must also be held within the context of the PSP model. • Virtual visits must be conducted in accordance with the Family and Education Rights and Privacy Act (FERPA). <ul style="list-style-type: none"> ○ Providers must ensure that virtual sessions are conducted where other people can't observe or hear. ○ Recording a virtual session requires consent and the recording becomes part of the child's EI record. • Visit notes for services delivered virtually must clearly document the method of delivery. |
| Verbal Consent | <ul style="list-style-type: none"> • In the event that a signature cannot be obtained from the child's parent, the tiny-k program may obtain verbal consent from the parent. • Verbal consent means consent obtained via phone conversation, text message, or encrypted email with the parent. • The FSC or individual seeking consent must document the following in the child's EI Record: <ul style="list-style-type: none"> ○ his/her explanation to the parent about the activity or release of information for which consent is sought and why consent is necessary ○ the name of the parent who gave verbal consent ○ to whom consent was given ○ date consent was given |
| Part C Regulations and Timelines | <ul style="list-style-type: none"> • Regulations and timelines per Part C of the Individual with Disabilities Education Act have not changed. • Under 34 C.F.R. §303.310, the initial evaluation and assessments of child and family, as well as the initial IFSP meeting, must be completed within 45 days of the lead agency receiving the referral. However, under 34 C.F.R. §303.310(a), the 45-day timeline does not apply if the family is unavailable due to "exceptional family circumstances that are documented" in the child's early intervention (EI) records. The US Department of Education has previously provided guidance to states indicating that weather or natural disasters may constitute "exceptional family circumstances." The COVID-19 pandemic could be considered an "exceptional family circumstance". |

Helpful links to federal resources:

- [Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak](#) – Part C specific information starts on page 7
- [Supplemental Fact Sheet Addressing the Risk of COVID-19 in Preschool, Elementary and Secondary Schools While Serving Children with Disabilities](#)
- [Notification of Enforcement Discretion for telehealth remote communications during the COVID-19 nationwide public health emergency](#)
- [Early Childhood Technical Assistance Center's COVID-19 Resource page](#)