

Summary of General Comments

Information Collection 1820-0682 was placed in the Federal Register on Wednesday, May 9, 2007, to solicit comments. (Federal Register / Vol. 72, No. 89 / Wednesday, May 9, 2007 / Notices [Page 26491]). As a result of this posting the Department received the following comment, which was carefully reviewed:

Comment: One commenter in response to 1820-0682, stated that the proposed regulation at §303.724(c) requires “the lead agency to obtain certification from each early intervention service (EIS) provider that is unduplicated and accurate regarding their count of children served.” The commenter pointed out that some Part C electronic systems do not rely on EIS provider to submit a child count to the lead agency. If the lead agency can and does obtain child count data from an electronic data system, a local EIS provider could not be expected to certify that child count. In such instances, the lead agency must have procedures to ensure the accuracy of the child count but these do not necessitate involvement of each EIS provider. Therefore, the commenter recommended this EIS program certification be required only when applicable to the state’s data system and state procedures for reporting unduplicated and accurate child counts.

Discussion: We have revised §303.724 to only require that, as one of the commenters suggested, the EIS provider certify the accuracy and nonduplication of data that the EIS provider is required to collect and report to the lead agency. Due to this change, we no longer list this requirement in 34 CFR §303.724 as an information collection.

Comment: We received a few comments in response to the NPRM requesting clarification of paperwork requirements.

Discussion: We have reviewed the paperwork requirements listed in the NPRM and have determined that §§303.21(c)(2), 303.211(b)(1), 303.300, 303.520(a)(3) and 303.450(b)(1)(iii) are mandates, not paperwork requirements.

Comment: We received comments expressing the concern that the State should not use a child’s or parent’s public benefits or insurance if the parent would incur specific costs as a result of the use of those benefits. Such concerns were decreasing available lifetime coverage for a child or parent; parents having to pay for services that would otherwise be covered by the public insurance or benefits program; increases in premiums or discontinuation of public insurance or benefits for that child or parent as a result of such use; or risking loss of eligibility for Medicaid home and community-based waivers based on overall health expenses.

Discussion: We have restructured §303.520 to add a new paragraph (a)(1) that requires the State to provide parents with written notification of the no-cost and confidentiality provisions in paragraph (a)(3) and to meet the no-cost protections identified in paragraph (a)(2).