The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

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Diane Fortunato

Criterion Wachusett Early Intervention Program

567 Pearl Street

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June 23, 2025

Dear Diane:

The purpose of this monitoring report is to provide a summary of the results of the Cyclical Monitoring activities conducted by the Department of Public Health’s (the Department’s) Early Intervention (EI) Division. As part of its general supervision process, early intervention service programs and specialty service programs are monitored on their policies and procedures and implementation of those policies and procedures to meet the requirements of the Individuals with Disabilities Education Act (IDEA or the Act).

Those requirements include:

1) Improving educational results and functional outcomes for all infants, toddlers, children, and youth with disabilities; and

2) Ensuring that public agencies meet the program requirements under Part C of IDEA, with a particular emphasis on those requirements that are most closely related to improving educational results for infants and toddlers with disabilities.

During the cyclical monitoring process the EI Division examined the program’s policies and procedures regarding the following monitoring priorities and components of IDEA part C:

* Compliance Indicators (45 Day IFSP timeline, timely services, service delivery, and transition)
* Results Indicators (services provided in the natural environment, child find and referral, evaluations, assessments, and outcomes)
* Dispute Resolution and family rights
* Data Quality (timely and accurate data entry)
* Fiscal (claims and responsibility)

This cyclical monitoring report summarizes the Early Intervention Division’s review of IDEA Part C requirements and Massachusetts Early Intervention Operational Standards regarding these monitoring priorities and components. The EI Division conducted Cyclical Monitoring activities through interviews with representatives from Criterion Wachusett Early Intervention Program and families that participated in Part C services at Criterion Wachusett Early Intervention Program. In addition to interviews, the EI Division reviewed records (individualized family service plans, service progress notes, claims) of a sample of children with data submitted into the Early Intervention Client System, policies and procedures, and other related documents submitted to the Early Intervention Division.

Based on its review of available documents, information, and interviews conducted, the EI Division has identified 3 findings of noncompliance with IDEA and state requirements described in further detail in the monitoring report, including any required actions.

The EI Division has not identified any noncompliance in the following components: Results and Data. Therefore, these items are not included in the narrative below.

Summary of Monitoring Priorities and Outcomes

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| MONITORING COMPONENT   | FINDINGS SUMMARY  |
| Compliance   | The EI Division finds that the program does not complete the service delivery requirements under Federal Regulation (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2) and in accordance with Early Intervention Operational Standards Early Intervention Services(EIOS) § VII. C.3 pg. 32.  |
| Results  |  |
| Dispute Resolution  | 2.1 The EI Division finds that the program does not complete the Prior Written Notice requirements Under, Federal Regulation 34 CFR §303.421 and in accordance with Early Intervention Operational Standards Procedural Safeguards and Due Process Procedures § XIII. A pg. 63- 65. |
| Data  |   |
| Fiscal  | 3.1 The EI Division finds that the program does not complete the Encounter and Charge Claims submitted accurately requirements under (34 CFR § 303.510(a)).  |

The EI Division appreciates Criterion Wachusett Early Intervention’s continued efforts to improve the implementation of IDEA Part C and the development and implementation of a reasonably designed EIS program which ensures compliance and improving results for infants and toddlers with disabilities and their families. The EI Division notes that having a consistent and transparent system for identifying and correcting noncompliance, particularly noncompliance that impacts the delivery of early intervention services, in accordance with individualized family service plans (IFSPs), and dispute resolution systems that protect the rights of parents, are essential elements to ensuring improved results for infants and toddlers with disabilities and their families. If you have any questions, please contact your Clinical Oversight and Support Specialist.

Sincerely,

Kasey Jaynes

Clinical Oversight and Support Specialist, Early Intervention Division

cc: Molly Gilbride, Clinical Quality Manager, Early Intervention Division

 Michelle Conlon, Clinical Quality Assurance Coordinator, Early Intervention Division

**COMPLIANCE**

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| **Legal Requirement/State Standard**  | Noncompliant Policy, Procedure or Practice and EI Division analysis  | Conclusion/Finding  | Next Steps and Required Actions  |
| * 1. **Service Delivery**

Under Federal Regulation (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2))  As used in paragraph (d)(1)(i) of this section—Service Provision: As a condition of receiving assistance under Part C of the IDEA, each State must ensure that appropriate early intervention services are available to all infants and toddlers with disabilities and their families as required by 34 C.F.R. § 303.112. Under 34 C.F.R. § 303.342(e), each State must ensure that Part C services are provided to all eligible infants and toddlers with disabilities and their families in a timely manner and that each eligible infant and toddler with a disability has available early intervention services that are designed to meet his or her unique individual needs as identified by the IFSP team as required by 34 C.F.R. §§ 303.13(c), 303.342, and 303.344(d).In accordance with Early Intervention Operational Standards Early Intervention Services(EIOS) § VII. C.3 pg. 32Conducting activities which ensure the timely and consistent delivery of IFSP (Part C) services. |  1.1During record reviews, the EI Division found that the program did not consistently meet the service delivery requirement. The EI division reviewed a total of 10 child records for satisfactory demonstration (100% compliance) of service delivery requirements. A total of 2 of these records demonstrated that the program did not complete the service delivery in the frequency consented to on the IFSP requirement.  | The EI Divisions’ analysis is based on documents and information provided by the program, records located within the EICS, as well as interviews with program staff and families/caregivers. Based on this analysis, the EI Division finds that: 1.1 The program does not complete the service delivery requirements under Federal Regulation (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2) and in accordance with Early Intervention Operational Standards Early Intervention Services(EIOS) § VII. C.3 pg. 32. | Evidence of implementation— as soon as possible, but no later than one year from the date of this monitoring report, the program must demonstrate to the EI Division:Demonstration of 100% Compliance of Service Delivery, as evidenced by the EI Divisions review of subsequent records.  |

**DISPUTE RESOLUTION**

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| **Legal Requirement/State Standard**  | Noncompliant Policy, Procedure or Practice and EI Division analysis  | Conclusion/Finding  | Next Steps and Required Actions  |
| **2.1 Prior Written Notice** Under, Federal Regulation 34 CFR §303.421 Prior written notice and procedural safeguards notice. a) General. Prior written notice must be provided to parents a reasonable time before the lead agency or an EIS provider proposes, or refuses, to initiate or change the identification, evaluation, or placement of their infant or toddler, or the provision of early intervention services to the infant or toddler with a disability and that infant's or toddler's family.  In accordance with Early Intervention Operational Standards Procedural Safeguards and Due Process Procedures § XIII. A pg. 63- 65Families are provided written notice a reasonable time before an Early Intervention provider proposes to initiate or refuse an activity that relates to the identification, evaluation, or change in IFSP service; the provision of appropriate Early Intervention services; disclosure of personally identifiable information requiring consent; or accessing public or private reimbursement for service.Early Intervention programs are required to use the forms and notices provided by DPH when requesting consent or providing notice for the following activities unless approval has been granted by DPH for the program to use a different form: • evaluation/assessment to determine eligibility, • convening an IFSP meeting for the purpose of developing an initial, subsequent or review of an IFSP, and• providing IFSP services (Universal IFSP form).  | 2.1During record reviews, the EI Division found that the program did not consistently meet the Prior Written Notice requirement. The EI division reviewed a total of 10 child records for satisfactory demonstration (100% compliance) of Prior Written Notice being sent for Transition Conference requirement. A total of 1 of these records demonstrated that the program did not complete the Prior Written Notice requirement.  |  The EI Divisions’ analysis is based on documents and information provided by the program, records located within the EICS, as well as interviews with program staff and families/caregivers. Based on this analysis, the EI Division finds that: 2.1The program does not complete the Prior Written Notice requirements Under, Federal Regulation 34 CFR §303.421 and in accordance with Early Intervention Operational Standards Procedural Safeguards and Due Process Procedures § XIII. A pg. 63- 65. |  Evidence of implementation— as soon as possible, but no later than one year from the date of this monitoring report, the program must demonstrate to the EI Division:Demonstration of 100% compliance with Prior Written Notice as evidenced by the EI Divisions review of subsequent records.  |

**FISCAL**

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| **Legal Requirement/State Standard**  | Noncompliant Policy, Procedure or Practice and EI Division analysis  | Conclusion/Finding  | Next Steps and Required Actions  |
| **3.1 Encounter and Charge Claims submitted accurately**(34 CFR § 303.510(a))Except as provided in§ 303.510(b) of this section, funds under this part may not be used to satisfy a financial commitment for services that would otherwise have been paid for from another public or private source, including any medical program administered by the Department of Defense, but for the enactment of part C of the Act. Therefore, funds under this part may be used only for early intervention services that an infant or toddler with a disability needs but is not currently entitled to receive or have payment made from any other Federal, State, local, or private source (subject to §§ 303.520 and 303.521).Reimbursement Policy Manual for EI Services Pg. 16Claims Processing ValidationsCharge claims and encounter claims are required to match the service log data on the Progress Note in the DPH EI Client System. This includes: Date of Services Hours Service (Based on the value passed in the Procedure Description field in the 837 transaction. See Appendix 6: Service Codes and Rates for expected values.) | 3.1During record reviews, the EI Division found that the program did not consistently meet the Encounter and Charge Claims submitted accurately requirement.The EI division reviewed a total of 10 child records for satisfactory demonstration (100% compliance) of Encounter and Charge Claims submitted accurately requirements. A total of 8 of these records demonstrated that the program's encounter claim procedure codes listed in the claims in EICS did not match a code that is in the reimbursement manual.   | The EI Divisions’ analysis is based on documents and information provided by the program, records located within the EICS, as well as interviews with program staff and families/caregivers. Based on this analysis, the EI Division finds that: 3.1 The program does not complete the Encounter and Charge Claims submitted accurately requirements under (34 CFR § 303.510(a)). | Evidence of implementation— as soon as possible, but no later than one year from the date of this monitoring report, the program must demonstrate to the EI Division:Demonstration of 100% Encounter and Charge Claims submitted accurately as evidenced by the EI Divisions review of subsequent records. |