



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
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**Maura T. Healey**  
Governor

**Kimberley Driscoll**  
Lieutenant Governor

March 16, 2026

Dear Colleague,

The Early Intervention Division is committed to providing high-quality Part C/early intervention services to enhance the development and learning of infants and toddlers through individualized, developmentally appropriate interventions embedded in everyday activities at no cost to families. Consistent with these goals, Part C of the Individuals with Disabilities Education Act (IDEA) requires that parental consent is obtained before public benefits, public insurance or private insurance is used.

The Early Intervention Division has determined that this letter is significant guidance and provides contracted providers with information to assist them in meeting their obligations under the IDEA and its implementing regulations.

Under the Individuals with Disabilities Education Act (IDEA), Part C/early intervention services are provided to infants and toddlers with disabilities or developmental delays. In Massachusetts, most insurers are required to reimburse the costs for such services as part of a basic benefits package and prohibits the use of co-payments, coinsurance, and deductibles for said services.

Use of public benefits/insurance or private insurance to pay for Part C/early intervention services is allowable under 34 CFR 303.520. However, families who choose to use Medicaid or Children's Health Insurance Program (CHIP), or private insurance must do so voluntarily, and written parental consent must be obtained before insurance is accessed, as required by 34 CFR 303.420. Consent for the user of public benefits or insurance or private insurance can be changed at any time.

Families who do not provide consent to use public benefits or insurance or private insurance must not be penalized in any way. These families must not lose access to services or experience a reduction in the quality of services provided. If a parent chooses to use insurance, it must not result in any extra charges, as outlined in 34 CFR § 300.154(d)(2)(v).

Early intervention services (EIS) and early intensive behavioral intervention (EIBI) programs and providers must obtain written consent to use public benefits or private insurance initially, each time there is a change in service provision, and when private insurance is a prerequisite for public benefit. Consent for the use of public benefits or insurance or private insurance must be documented in the

child's record in the Early Intervention Client System (EICS) and be verified prior to services being provided and again prior to charge and encounter claims being submitted.

Thank you for your continued partnership to ensure all families receive access to high-quality, research-based services at no cost.

A handwritten signature in black ink that reads "Emily White". The signature is written in a cursive, flowing style.

.D, LABA

Director, Early Intervention Division