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6/22/26

Melissa Wenderoth
Pernet Early Intervention Program
237 Millbury Street
Worcester, MA 01610

Dear Melissa,

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 (45 Day IFSP timeline, timely services, service delivery, and supervision)
- Results (services provided in the natural environment, child find, 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 Pernet Early Intervention program and families that participated in Part C services at Pernet 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 8 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: Data. Therefore, these items are not included in the narrative below.

Summary of Monitoring Priorities and Outcomes

MONITORING COMPONENT	FINDINGS SUMMARY
Compliance	1.1 The EI Division finds that the EIS program has not established policies and procedures to ensure appropriate demonstration of and adherence to Service Delivery requirements (records) under Federal Regulation (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2)) and EIOS pg. 32 1.2 The EI Division finds that the program has not established reasonably designed timely service policies under Federal Regulation 34 CFR § 303.344 (d) and in accordance with Early Intervention Operational Standards Individualized Family Service Plan Development § VII. E. 7, pg. 27 1.3 The EI Division finds that the program has not established reasonably designed transition policies, as required under 34 CFR §303.209, EIOS pages 35-42 and EIOS pg.41
Results	2.1 The EI Division finds that the program has not established reasonably designed Natural Environment policy as required under 34 CFR § 303.344 (d)
Dispute Resolution	3.1 The EI Division finds that the program has not established policies and procedures to ensure appropriate demonstration of and adherence to the prior written notice requirement under 34 CFR §303.421 and EIOS pg. 63
Fiscal	4.1 The EI Division finds that the program does not complete the claims service log validation requirements under Massachusetts Department of Public Health Reimbursement Policy Manual for Early Intervention and EIBI Services, version 11 p.10.

	4.2 The EI Division finds that the EIS program has not established policies and procedures to ensure appropriate demonstration of and adherence to insurance verification and record submission requirements under Massachusetts Department of Public Health Reimbursement Policy Manual for Early Intervention and EIBI Services v. 11 Page 4 and Page 19. 4.3 The EI Division finds that the program has not established reasonably designed parental consent disclosure policies as required under 34 CFR 303.520 and 34 CFR 303.7.
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The EI Division appreciates Pernet Early Intervention Program'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,

Susan Grossman, M.S., CEIS, CEID

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

Legal Requirement/State Standard	Noncompliant Policy, Procedure or Practice and EI Division analysis	Conclusion/Finding	Next Steps and Required Actions
1.1 Service Delivery (Consent and Accuracy) 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. §§	1.1 During record reviews, the EI Division found that the program did not consistently meet the Service Delivery requirements. The EI division reviewed a total of 10 child records for satisfactory demonstration of Service Delivery requirements. A total of 2 of these records demonstrated that the program did not complete the Service Delivery requirement. During policy review, the EI Division specifically identified that the program provided their procedure for service delivery but did not include the Service Delivery policy.	The EI Division’s 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: 1.1 The EI Division finds that the EIS program has not established <u>policies and procedures</u> to ensure <u>appropriate demonstration of</u> and adherence to <u>Service Delivery requirements</u> under Federal Regulation (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2)) and EIOS pg. 32	Policies and procedures—within 90 days of the date of this monitoring report the program must submit to the EI Division: 1. Policies and procedures documenting the program’s process for Service Delivery requirements. The policies and procedures must ensure that the program’s process is reasonably designed as required by (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2)) and EIOS 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: 2. Demonstration of 100% of service delivery requirements as evidenced by the EI Division’s review of subsequent records.

303.13(c), 303.342, and 303.344(d).			
1.2 Timely Services In accordance with Early Intervention Operational Standards, page 28 Section VII, Individual Family Service Plan Development E IFSP components, 8. The start date of the IFSP, which is the date of parental written consent. IFSP services for which consent has been provided must occur as soon as possible but no later than 30 days after consent has been granted. Federal Regulation (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2)) and EIOS pg. 28	During policy review, the EI Division specifically identified that the program provided their procedure for Timely Services but did not include the Timely Service policy.	The EI Division's 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: 1.2 The EI Division finds that the program has not established reasonably designed Timely Service policies as required under Federal Regulation (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2)) and EIOS pg. 28	Policies and procedures—within 90 days of the date of this monitoring report the program must submit to the EI Division: 1. Policies and procedures documenting the program's process for Timely Services 30 day. The policies and procedures must ensure that the program's process is reasonably designed as required by Federal Regulation (34 CFR 303.344(d)(1); 34 CFR 303.344(d)(2)) and EIOS pg. 28
1.3 Transition In accordance with Early Intervention Operational Standards, page 35-41 and under Federal Regulation 34 CFR 303.344(h)(1); 34 CFR 303.209(d)(2)	During policy review, the EI Division specifically identified that the program provided their procedure for Transition but did not include the Transition policy.	The EI Division's 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: 1.3 The EI Division finds that the program has not established reasonably designed transition policies, as required under 34 CFR §303.209, EIOS pages 35-42 and EIOS pg.41	Policies and procedures—within 90 days of the date of this monitoring report the program must submit to the EI Division: 1. Policies and procedures documenting the program's process for Transition. The policies and procedures must ensure that the program's process is reasonably designed as required by 34 CFR §303.209, EIOS pages 35-42 and EIOS pg.41.

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RESULTS

Legal Requirement/State Standard	Noncompliant Policy, Procedure or Practice and EI Division analysis	Conclusion/Finding	Next Steps and Required Actions
2.1 Services provided in the natural environment Under Federal Regulation 34 CFR § 303.344 (d) (1) The IFSP must include a statement of the specific early intervention services, based on peer-reviewed research (to the extent practicable), that are necessary to meet the unique needs of the child and the family to achieve the results or outcomes identified in paragraph (c) of this section, including— (i) The length, duration, frequency, intensity, and method of delivering the early intervention services. (ii) A statement that each early intervention service is provided in the natural environment for that child or service to the maximum extent appropriate, consistent with §§ 303.13(a)(8), 303.26 and 303.126, or, subject to paragraph (d)(1)(ii)(B) of this section, a justification as to why an early intervention service will not be provided in the natural environment.	2.1 During policy review, the EI Division specifically identified that the program's policy did not include justification for services provided outside the natural environment.	The EI Division's 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: 2.1 The EI Division finds that the program has not established reasonably designed Natural environment policies as required under 34 CFR § 303.344 (d)	Policies and procedures— within 90 days of the date of this monitoring report the program must submit to the EI Division: 1. Policies and procedures documenting the program's process for Natural Environment requirements. The policies and procedures must ensure that the program's process is reasonably designed as required §§ 303.13(a)(8), 303.26 and 303.126, or, subject to paragraph (d)(1)(ii)(B)

the child's unique needs, family routines, and identified measurable results or outcomes must include the following: An explanation of why the IFSP team determined that the outcomes could not be achieved in the child's natural settings; an explanation of how the services provided in this setting will support measurable results or outcomes and the child's ability to function in his/her natural environment; and a plan with a timeline for providing Early Intervention services in a natural setting in order to achieve the outcomes identified on the IFSP. In accordance with Early Intervention Operational Standards Individualized Family Service Plan Development § VII. E. 7, pg. 27 A statement of the natural settings in which Early Intervention will be provided, including justification of the extent to which the services will not be provided in a natural environment. Individualized clinical justification on the IFSP for services that do not occur in a natural setting (as determined by the parent and IFSP team) based on the child's unique needs, family routines, and identified measurable results or outcomes must include the following: An explanation of why the IFSP team			
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determined that the outcomes could not be achieved in the child's natural settings; an explanation of how the services provided in this setting will support measurable results or outcomes and the child's ability to function in his/her natural environment; and a plan with a timeline for providing Early Intervention services in a natural setting in order to achieve the outcomes identified on the IFSP.			
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DISPUTE RESOLUTION

Legal Requirement/State Standard	Noncompliant Policy, Procedure or Practice and EI Division analysis	Conclusion/Finding	Next Steps and Required Actions
3.1 Prior Written Notice and Procedural Safeguards Prior written notice and procedural safeguards notice. a) General. Prior written notice must be provided to parents a reasonable time before the lead	3.1 During policy review, The EI Division specifically identified that the program's policy did not include providing Prior Written Notice for the Transition Conference.	The EI Division's 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:	Policies and procedures—within 90 days of the date of this monitoring report the program must submit to the EI Division: 1. Policies and procedures documenting the program's process for

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. 34CFR §303.421 In accordance with Early Intervention Operational Standards Procedural Safeguards and Due Process Procedures § XIII. A pg. 63- 65, Families 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	During record reviews, the EI Division found that the program did not consistently meet the Prior written notice (PWN) requirement. The EI division reviewed a total of 10 child records for satisfactory demonstration (100%) of PWN requirements. A total of 3 of these records demonstrated that the program did not complete the Prior written notice requirement for the Transition Conference.	3.1 The EI Division finds that the program has not established policies and procedures to ensure appropriate demonstration of and adherence to the prior written notice requirement under 34 CFR §303.421 and EIOS pg. 63. Specifically in reference to the PWN for TPC	the Prior written notice (PWN) requirement. The policies and procedures must ensure that the program's process is reasonably designed as required 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: 2. Demonstration of 100% Prior Written Notice for the Transition Conference, as evidenced by the EI Division's review of subsequent records.
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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).			
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FISCAL

Legal Requirement/State Standard	Noncompliant Policy, Procedure or Practice and EI Division analysis	Conclusion/Finding	Next Steps and Required Actions
4.1 Claims Charge claims and encounter claims are required to match the service log data on the Progress Note in the DPH EI Client System. (Massachusetts Department of Public Health Reimbursement Policy Manual for Early Intervention and EIBI Services, version 11 p.10)	4.1 During record reviews, the EI Division found that the program did not consistently meet the claims service log validation requirements. The EI division reviewed a total of 10 child records for satisfactory demonstration (100%) of claims service log validation requirements. A total of 9 of these records demonstrated that the	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: 4.1 The EI Division finds that the program has	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: 1. Demonstration of 100% claims service log validations, as evidenced by the EI

	program did not complete the claims service log validation requirements.	not established reasonably designed claim service log validation requirement procedures as required in accordance with Massachusetts Department of Public Health Reimbursement Policy Manual for Early Intervention and EIBI Services, version 11 Page 10.	Division's review of subsequent records.
4.2 Insurance Verification Maintain complete, current, and accurate insurance information in the child's EI Client System record based on insurance verification activities. This includes: (1) determination of the EI benefits and/or EIBI benefits for each insurance, on a regular basis. (2) selection of the correct insurance coverage type. This indicates if the insurance is Fully Insured, Self-Insured, HSA, Federal, Union, Out-of-State (3) identification of children who are uninsured. (Massachusetts Department of Public Health Reimbursement Policy Manual for Early Intervention and EIBI Services, version 11, Page 1) Contracted programs are required to verify insurance	4.2 During record reviews, the EI Division found that the program did not consistently meet the requirement to maintain complete, current, and accurate insurance information in the child's EI Client System record. The EI division reviewed a total of 10 child records for satisfactory demonstration (100%) of insurance information requirements. A total of 1 of these records demonstrated that the program did not complete the insurance information requirement. During policy review, the EI Division specifically identified that the program's policy did not include specific procedures for verifying insurance member eligibility for payors. The program's policy did not have specific procedures for determining, on a regular basis, the benefit coverage type and	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: 4.2 The EI Division finds that the program has not established reasonably designed child records procedures as required in accordance with Massachusetts Department of Public Health Reimbursement Policy Manual for Early Intervention and EIBI services for agency/program version 11 Page 1.	Policies and procedures—within 90 days of the date of this monitoring report the program must submit to the EI Division: 1. Policies and procedures documenting the program's process for verifying the insurance member eligibility for MassHealth, MassHealth MCO's and ACO's, and commercial insurance on a regular basis. The policies and procedures must ensure that the program's process is reasonably designed as required by the Early Intervention Division Reimbursement Policy Manual (version 11, Page 4). 2. Policies and procedures documenting the

member eligibility for MassHealth, MassHealth MCO's and ACO's, and commercial insurance, on a regular basis, to ensure that claims are submitted to the appropriate payor. (Massachusetts Department of Public Health Reimbursement Policy Manual for Early Intervention and EIBI Services, version 11, Page 4) Contracted programs must determine the benefit coverage type for each member, including whether the service is a covered benefit and the type of insurance plan. (Massachusetts Department of Public Health Reimbursement Policy Manual for Early Intervention and EIBI Services, version 11, Page 4)	whether the EI service is a covered benefit on the child's insurance plan.		program's process for determining the benefit coverage type for each member and whether EI services are a covered benefit on the member's insurance plan. The policies and procedures must ensure that the program's process is reasonably designed as required by the Early Intervention Division Reimbursement Policy Manual (version 11, Page 4). 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: 3. Demonstration of 100% complete, current, and accurate insurance information in the child's EI Client System record, as evidenced by the EI Division's review of subsequent records.
4.3 Parental Refusal to Access Insurance	4.3		

Prior to obtaining parental consent, contracted programs are required to inform parents, in writing and in the native language of the parents, of their rights regarding consent to bill insurance, that services to their family will not be negatively impacted should consent not be given, and that consent can be revoked at any time, although revocation is not retroactive. (34 CFR 303.7 & 34 CFR 303.520)	During policy review, the EI Division specifically identified that the programs policy did not include specific procedures for providing documentation in the native language of the parents detailing their rights relating to consent before obtaining said consent.	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: 4.3 The EI Division finds that the program has not established reasonably designed parental consent disclosure policies as required under 34 CFR 303.520 and 34 CFR 303.7.	Policies and procedures—within 90 days of the date of this monitoring report the program must submit to the EI Division: 1. Policies and procedures documenting the program's process for providing written notice to the parents, in their native language). The policies and procedures must ensure that the program's process is reasonably designed as required by 34 CFR 303.7 and 34 CFR 303.520.
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