



The Commonwealth of Massachusetts
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September 29, 2025

Ashley Stebbins
RCS Behavioral and Educational Consulting
6 Strathmore Rd.
Natick, MA 01760
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Dear Ashley,

The purpose of this letter is to provide an update on the status of the findings and corrective actions identified by the Department of Public Health's (the Department) Early Intervention Division (EI Division) reported in the Cyclical Monitoring report to RCS Behavioral and Educational Consulting dated January 10, 2025. Based upon the EI Division's analysis of the revised policies and procedures and/or evidence submitted by RCS, as well as subsequent data pulled from the Early Intervention Client System on 7/1/2025 for all relevant requirements, the EI Division has determined that RCS has taken the necessary steps to address and resolve the findings of noncompliance and the required corrective actions outlined in the monitoring report.

The chart included in this letter summarizes the monitoring component, finding, required actions, EI Division analysis, and status of finding(s) based on the evidence received from RCS.

The EI Division appreciates RCS' continued efforts to improve the implementation of IDEA Part C and the development and implementation of a reasonably designed system which ensures compliance and improving results for infants and toddlers with disabilities. 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, and dispute resolutions systems that protect the rights of parents, are essential elements to ensuring improved results for infants and toddlers with disabilities. If you have any questions, please reach out to your clinical oversight and support specialist, at julie.woodward@mass.gov.

Sincerely,

Julie Woodward, Clinical Oversight and Support Specialist, Early Intervention Division
Molly Gilbride, Clinical Quality Manager, Early Intervention Division

COMPLIANCE

Legal Requirement/State Standard	Noncompliant Policy, Procedure or Practice and EI Division analysis	Conclusion/Finding	Next Steps and Required Actions
<p>1.1 Post Referral Timeline Under 34 C.F.R § 303.310(a) the initial evaluation and the initial assessments of the child and family under § 303.321; and the initial IFSP meeting under § 303.342 must be completed within 45 days from the date the lead agency or EIS provider receives the referral of the child.</p> <p>Additionally, SSP OS § V(e)., requires that an SSP has 45 days from the receipt of referral from the EI program to conduct an assessment, develop a treatment plan, and proceed to the IFSP meeting scheduled by the service coordinator.</p>	<p><i>The program does not complete the initial assessment of the child and family and proceed to the IFSP meeting within the 45-day post referral timeline.</i></p> <p>During record reviews, the EI Division found that the program did not satisfactorily demonstrate completing the assessment, developing a treatment plan, and proceeding to the IFSP meeting, within the 45-day post referral timeline, as required at 100% compliance.</p>	<p>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:</p> <p>The EIBI program does not complete the initial assessments of the child and family, and the initial individualized family service plan (IFSP) meeting within the 45-day timeline, as required under 34 C.F.R. § 303.310 (post referral timeline) and SSP OS § V(e).</p>	CORRECTED and CLOSED

RESULTS

Legal Requirement/State Standard	Noncompliant Policy, Procedure or Practice and EI Division analysis	Conclusion/Finding	Next Steps and Required Actions
<p>2.1 Child Find- Referral Under EI Operational Standard § VI(a)(1), the program is required to provide a face-to-face or telephone response to the parent made within 14 calendar days following the initial referral. Attempts to contact the parent of a child referred are</p>	<p><i>The program's initial referral policies do not demonstrate adherence to the State's operational standard requirements EIOS § VI(a)(1) and SSP OS § V(a).</i></p> <p>During policy review, the EI Division identified that the programs policy</p>	<p>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:</p>	CORRECTED and CLOSED

documented in the record. An infant or toddler may be re-referred at any time prior to his/her third birthday.	did not include adherence to timeline requirements or include notifying the service coordinator of the result of that contact.	The program has not established policies and procedures reasonably designed to ensure adherence to initial referral timeline requirements, as required under EIOS § VI(a)(1) and SSP OS § V(a).	
<p>Additionally, SSP OS § V(a) requires the following:</p> <ul style="list-style-type: none"> The SSP will contact the family to provide information about the agency and service model and answer any questions the family may have, and SSPs will notify the EI Service Coordinator of the result of that contact. 	<p>Additionally, the program's referral policy was found to include language and practices that are not in accordance with the provision of IDEA Part C services. Specifically, the programs referral policy was found to include statements informing families of an "EI wait time" as well as providing contingency for an "acceptance of hours" prior to the family's selection, assessment, and subsequent IFSP meeting.</p>		

DISPUTE RESOLUTION

Legal Requirement/State Standard	Noncompliant Policy, Procedure or Practice and EI Division analysis	Conclusion/Finding	Next Steps and Required Actions
<p>3.1 Procedural Safeguards- Parental consent and ability to decline services.</p> <p>Under 34 C.F.R. § 303.420(d), the parents of an infant or toddler with a disability—</p> <p>(1) Determine whether they, their infant or toddler with a disability, or other family members will accept or decline any early intervention service under</p>	<p><i>The program's procedural safeguard policies, including documenting when a family declines EIBI services, do not demonstrate adherence to federal and state requirements, as required by 34 C.F.R § 303.420(b), SSP OS § X, and EIOS § XIII(d).</i></p> <p>During review of the program's policies and procedures, the EI Division found statements contrary</p>	<p>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:</p> <p>The program has not established policies and procedures reasonably designed to ensure adherence to procedural safeguard requirements</p>	CORRECTED and CLOSED

<p>this part at any time, in accordance with State law; and</p> <p>(2) May decline a service after first accepting it, without jeopardizing other early intervention services under this part.</p> <p>As required under SSP OS § X., as service providers in the EI system, SSPs must affirm that they will comply with Procedural Safeguards and Due Process Procedures.</p> <p>EIOS, § XIII(d), states early intervention services are voluntary. Parents may determine whether they, their child, or other family members will accept or decline any Early Intervention service. Parents may also decline such a service after first accepting it, without jeopardizing other Early Intervention services.</p>	<p>to a family's right to decline, including "Families are required to access at minimum one hour of parent training per month as part of their child's ongoing ABA service model...Failure to consistently access the model of Parent Coaching and Training services recommended may result in termination of all services" and, "If you are noncompliant with treatment, RCS may need to stop treating your child."</p> <p>Additionally, the programs policy did not affirm compliance with Procedural Safeguards and Due Process procedures in accordance with the Early Intervention Operational Standards.</p>	<p>(such as when a family chooses to decline EIBI services), as required under 34 C.F.R. §. 303.420, SSP OS § X, and EI OS § XIII(d).</p>	
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DATA

Legal Requirement/State Standard	Noncompliant Policy, Procedure or Practice and EI Division analysis	Conclusion/Finding	Next Steps and Required Actions
<p>4.1 Data Timely</p> <p>Under C.F.R. 303.124, data collection –</p> <p>(a) each statewide system must include a system for</p>	<p><i>The program's timely data policies do not demonstrate adherence to federal and state requirements, as required by 34 C.F.R 303.124.</i></p>	<p>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</p>	<p>CORRECTED and CLOSED</p>

<p>compiling and reporting timely and accurate data that meets the requirements in paragraph (b) of this section and §§ 303.700 through 303.702 and 303.720 through 303.724.</p> <p>(b) The data system required in paragraph (a) of this section must include a description of the process that the State uses, or will use, to compile data on infants or toddlers with disabilities receiving early intervention services under this part.</p> <p>Additionally, under SSP OS, Autism SSP programs that are awarded contracts are required to utilize the EI Client System to enter client and service delivery data (pg.4).</p>	<p>During policy review, the EI Division identified that the programs policy did not include timely data entry requirements.</p>	<p>families/caregivers. Based on this analysis, the EI Division finds that:</p> <p>The program has not established policies and procedures reasonably designed to ensure adherence to timely data requirements, as required under 34 C.F.R. § 303.124.</p>	
<p>4.2 Data Accuracy</p> <p>Under C.F.R. § 303.124, data collection –</p> <p>(a) each statewide system must include a system for compiling and reporting timely and accurate data that meets the requirements in paragraph</p>	<p><i>The program's data accuracy policies do not demonstrate accurate data entry requirements, as required under 34 C.F.R § 303.124, and SSP OS § I.</i></p> <p>During policy review, the EI Division identified that the programs policy</p>	<p>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:</p>	<p>CORRECTED and CLOSED</p>

<p>(b) of this section and §§ 303.700 through 303.702 and 303.720 through 303.724.</p> <p>(b) The data system required in paragraph (a) of this section must include a description of the process that the State uses, or will use, to compile data on infants or toddlers with disabilities receiving early intervention services under this part.</p> <p>Under SSP OS § I, Autism SSP programs that are awarded contracts are required to utilize the EI Client System to enter client and service delivery data (pg.4).</p>	<p>did not include accurate data entry requirements.</p>	<p>The program has not established policies and procedures reasonably designed to ensure adherence to accurate data requirements, as required under 34 C.F.R. § 303.124.</p>	
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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
<p>5.1 Fiscal Claims</p> <p>Under C.F.R. § 303.500(a), each statewide system must include written policies and procedures that meet the requirements of the—</p> <p>(1) Use of funds provisions in § 303.501; and</p> <p>(2) Payor of last resort provisions in §§ 303.510</p>	<p><i>The program does not submit accurate charge and encounter claims, as required under 34 C.F.R. § 303.500 and the MA DPH Reimbursement Policy Manual for Early Intervention and Autism Services.</i></p> <p>During record reviews, the EI Division found that the program did</p>	<p>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:</p> <p>The program does not ensure submission of accurate charge and</p>	<p>CORRECTED and CLOSED</p>

<p>through 303.521 (regarding the identification and coordination of funding resources for, and the provision of, early intervention services under part C of the Act within the State).</p> <p>(b) and a State may establish, consistent with §§ 303.13(a)(3) and 303.203(b), a system of payments for early intervention services under part C of the Act, including a schedule of sliding fees or cost participation fees (such as co-payments, premiums, or deductibles) required to be paid under Federal, State, local, or private programs of insurance or benefits for which the infant or toddler with a disability or the child's family is enrolled, that meets the requirements of §§ 303.520 and 303.521.</p> <p>In accordance with the Massachusetts Department of Public Health's Reimbursement Policy Manual for Early Intervention and Autism Services, charge claims and encounter claims are required to match the service log data on the Progress Note in the DPH EI Client system (pg.16), and Charge</p>	<p>not consistently demonstrate charge and encounter claim requirements. The EI division reviewed a total of 5 child records for satisfactory demonstration (100%) of charge and encounter claim submission. A total of 1 of these records demonstrated evidence that the program did not submit a progress note with corresponding service log data for an encounter claim.</p> <p>Additionally, while the EI division did not find evidence of practice, the EI Division found that one of the program's policies included language regarding requirements of payment, which are not in accordance with the provision of IDEA Part C services, under 34 C.F.R § 303.500.</p>	<p>encounter claims, as required under 34 C.F.R. § 303.520 and the MA DPH Reimbursement Policy Manual for Early Intervention and Autism Services.</p>	
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claims are additionally required to have insurance data that matches the Insurance data in the DPH EI Client System (pg.16). Additionally, EI agencies/programs are required to submit claims that accurately reflect the services that are provided to children and families enrolled in Early Intervention in Massachusetts (pg. 35).			
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