



May 20, 2021

Telehealth and COVID-19 Policy Update

COVID-19 Policy Expiration and Interim Changes to First Steps Teleintervention Policy

In response to [Senate Enrolled Act 3/Public Law 85](#) and guidance from the federal Office of Special Education Programs (OSEP), and in anticipation of the eventual expiration of Indiana's public health emergency declaration, all First Steps' COVID-19 policies will end on Wednesday, June 30, 2021. Any guidance documents or tip sheets that remain applicable will still be available.

With Senate Enrolled Act 3/Public Law 85, telehealth is now permanently permissible for many licensed professionals in Indiana. The following memo provides an interim teleintervention policy for First Steps personnel. This policy will remain in place while the First Steps state administration works with key stakeholders and subject matter experts to develop a more comprehensive policy, training, resources, and a thorough implementation and evaluation plan.

All First Steps policies are available on the [First Steps website](#). Please contact Meghan Smith, First Steps Policy Manager, at Meghan.Smith@fssa.in.gov with questions or to provide input for the long-term teleintervention policy.

First Steps Interim Teleintervention Policy starting July 1, 2021

- Teleintervention is a **method** for delivering First Steps early intervention services under Part C of the Individuals with Disabilities Education Act (IDEA). This method will be a critical tool for improving access to First Steps. The use of teleintervention should be considered thoughtfully, taking into account both family and provider capacity for virtual services and the suitability of this method for the family, service(s), and child and family outcomes as written on the Individualized Family Service Plan (IFSP).
- As has always been true for Part C early intervention services, the IFSP is the guiding document for all families, service providers, and service coordinators in First Steps. **IFSPs developed or reviewed on and after July 1 must comply with the interim teleintervention policy.**
 - The method of service provision – virtual or in person – must be documented in the service logging module and on the IFSP. The IFSP must also include justification for the selected method, and both method and justification should be documented in the IFSP Meeting Minutes until further notice.

First Steps State Administration

Bureau of Child Development Services
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Mixed methods may be used but the IFSP must specify what this will look like (e.g. every other week, every two weeks) and why.

- If multiple shorter sessions are to be provided – for example, two 30-minute sessions instead of one 60-minute session per week – it must be documented on the IFSP.
- Verbal consents are not permissible. The parent or caregiver’s signature on the IFSP or IFSP change page serves as their consent for the service delivery method of teleintervention. A separate consent form will not be used.
- Providers, agencies, and system points of entry (SPOE) must maintain thorough documentation on services delivered using teleintervention. This includes parent/caregiver signature on all service logs. If a signature on a service log is infeasible:
 - Following the session, the provider must send an email or text message to the parent or caregiver that asks the parent or caregiver to confirm that the session occurred at the listed date, start time, and end time;
 - The provider must write “see documentation” in the parent/caregiver signature field of the service log; and
 - The provider must upload the parent or caregiver’s response as documentation.
- All personnel using teleintervention must comply with state and federal privacy and security laws, including those in the Family Educational Rights and Privacy Act or FERPA.
- **All First Steps personnel must ensure the use of teleintervention as a method for services does not interfere with a family’s ability to receive services in a manner free from bias or discrimination.**
- Telephone/audio only is not a permissible telehealth activity under SEA 3/Public Law 85 and therefore is not an allowable method for First Steps personnel providing billable IFSP services.
- SEA 3/Public Law 85 prohibits the use of telehealth for assistant-level providers. Occupational therapy assistants, physical therapy assistants, providers with a temporary license, and CFY speech and language pathologists are not permitted to provide occupational, physical, or speech therapy services using teleintervention in First Steps.
- First Steps evaluations and assessments, service coordination services, and family training and counseling services (CPT T1027) may be provided via teleintervention. Assistant level providers, providers with a temporary license, and CFY speech and language pathologists are allowed to deliver family training and counseling services (CPT T1027) via teleintervention.

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