



Fiscal 101




Module 9: Methods for Ensuring Services

Slide notes

Welcome to Part C Methods, Module 9 of the IDEA Fiscal 101 series. This module provides an overview of the IDEA Part C requirements for Methods to ensure the provision of, and financial responsibility for, Part C services.

What Is a Method?

A Method is an agreement maintained between the Lead Agency and another agency that provides or pays for part C services.



Slide notes

A Method is essentially an agreement that can take a number of forms and is maintained between the Lead Agency and another agency or state agency that provides or pays for Part C services. If you aren't sure if you need a Method, you may want to ask, what funding sources are used to pay for IDEA Part C services in your State.

For example, if Medicaid is a funding source for Part C services, and the Medicaid office is not housed within the Lead Agency, then a Method would need to be in place with the State agency that includes the Medicaid office.

Another example is, when the lead agency is the health department and the State education agency pays for or provides Part C services such as vision and hearing screening or services. In this case again, a Method would need to be in place between the SEA and the lead agency. The purpose of having this Method is to ensure compliance with IDEA Part C requirements for timely service provision and payment.

So, if a State has another State level agency that pays for or provides Part C services, then it is required to have a Method be put in place. States are also required to submit that Method to OSEP as in Section II.A.3.b. of the State's IDEA Part C grant application, if that Method is not in Statute or regulation.

For those States that are required to have a Method but have not yet submitted one, or have yet to receive OSEP approval for a Method that they have submitted, an assurance must be provided with the IDEA Part C grant application that the requirements of the Method are being implemented. Also, in order for the Method to be approvable, it must contain certain components, which we also discuss in this module.

Methods for Ensuring Services (34 CFR §303.511)

- Establishing financial responsibility for early intervention services
- Ensuring consistency with IDEA Part C requirements
- Can be established through:
 - State law or regulation
 - Inter- or intra-agency agreements
 - Other appropriate written methods

Continue

Slide notes

The IDEA requirement for a State Method can be found in 34 CFR 303.511.

So, what does this Method look like? OSEP does not prescribe the type of Method that is used. Typically, a Method is an inter- or intra-agency agreement, or another appropriate written agreement such as a memorandum of agreement or understanding between the Lead Agency and the other State agency or agencies involved.

Methods that are in State statute or regulation must also contain the required components that we will discuss next. However, States do not have to submit the statute or regulation to OSEP as part of the grant application.

In these cases, it is assumed, that the Statute has been legally vetted and gone through the applicable State and Federal public comment periods prior to becoming a written rule.

Please note, that although OSEP has not reviewed Methods in statute or regulation as part of the grant approval process, OSEP does review ALL Methods as part of the fiscal monitoring process that will be discussed in more detail later in this module. OSEP's fiscal monitoring will examine the State's implementation of its Methods.

For example, if any dispute mechanisms have been exercised, the lead agency must be prepared to provide supporting documentation that demonstrates practices that were used or followed. States should be able to discuss components of the Method that are applicable to its System of Payment policy and how it is ensuring oversight and its general supervision responsibilities related to the IDEA requirements.

Methods Requirements

Must ensure:

- Timely services
- Dispute resolution processes
 1. Final Determination
 2. Internal Agency procedures
 3. Lead Agency process
 4. Financial Responsibility

Click [here](#) for IDEA regulations §303.511

Slide notes

Now we can move on to discuss the components that can and must be included in a State's Method, under 303.511. This information applies to ALL types of Methods, whether in rule or a written agreement.

Let's first discuss what States can include. States may choose to address Part C use of funds, payor of last resort and any provisions that the State has adopted for its System of Payments - as discussed in Module 8. If the State includes references to any or all of those requirements, the Method MUST be consistent with those policies and with the applicable IDEA regulations.

For example, if the Method includes references to the Payor of Last Resort provisions, the Method must be consistent with the payor of last resort requirement that Part C funds may not be used to satisfy a financial commitment for services that would otherwise have been paid for from another public or private source as stated in 303.510.

This language then must also be consistent with how the State addresses this requirement in its system of payments policy. However, these components are not required to be part of the Method. With that being said, there are components that MUST be included in Methods. These components are specific to service provision and timely resolution of disputes between agencies.

The Method must include a mechanism to ensure that no services that a child is entitled to receive under this part are delayed or denied because of disputes between agencies regarding financial or other responsibilities. The timely resolution of dispute provisions are broken into FOUR separate requirements. A brief overview of these requirements include:

Timely resolution of disputes for: Final Determination, Internal Agency Procedures, Lead Agency process, and Financial Responsibility. For a full description of these requirements please see the IDEA regulations at §303.511.

It is important to know the mechanisms that are outlined in the Method, whether in statute or a written agreement in order to fulfill the requirements of implementation of the components contained within it. The Method shouldn't just outline the requirements, but facilitate the coordination between agencies to ensure Part C service provision.

This brings us back to OSEP's monitoring. As mentioned above, OSEP does review ALL Methods as part of the fiscal monitoring process. OSEP's fiscal monitoring will examine the State's implementation of its Methods. For example, if any dispute mechanisms have been exercised, a State should be able to provide supporting documentation demonstrating the practices that were used or policies and procedures that were followed.

States should be able to discuss and/or provide documentation supporting components of the Method that are applicable to its System of Payments and how the State is ensuring oversight related to the IDEA System of Payments requirements included in the Method.

Finally, it is important to recognize that coordinating services among agencies comes with challenges, and a Method should not be seen as one size fits all approach. Just as with most components of the Part C system, a Method is unique to meet the needs of the State. If you have any questions please contact your OSEP State Lead.

Downloadable Resources

Click on the images to download a presentation handout for this module and a list of all cited Regulations



Continue

Slide notes

Two handouts are available here for you to download and either save or print. The document on the left has the content that you just viewed, along with the annotated text that you heard. The document on the right is a complete list of all Code Regulations that are cited in the Fiscal 101 series. Clicking on the images will open the documents in a new window. Use the Continue button when you are finished.

Content provided by:



Modules produced by:



Fiscal 101

Thank you for
participating

Return to List

The [ECTA Center](#) is a program of the [FPG Child Development Institute](#) of the [University of North Carolina at Chapel Hill](#), funded through cooperative agreement number #H326PT20002 from the [Office of Special Education Programs, U.S. Department of Education](#). Opinions expressed herein do not necessarily represent the Department of Education's position or policy. Project Officer: Julia Martin Eile

Slide notes

Thanks for watching! You may use the "Return to List" button to go back to the list of modules, or you may exit by closing your browser window.