Figure: 40 TAC Chapter 108

Current Rules	Move to
Title 40. Social Services and Assistance	Title 26. Health and Human Services
Part 2. Department of Assistive and	Part 1. Texas Health and Human Services
Rehabilitative Services	Commission
Chapter 108. Early Childhood	Chapter 350. Early Childhood
Intervention Services	Intervention Services
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§108.103. Definitions.	§350.103. Definitions.
§108.105. Safety Regulations.	§350.105. Safety Regulations.
§108.107. Health Standards for Early	§350.107. Health Standards for Early
Childhood Intervention Services.	Childhood Intervention Services.
Subchapter B. Procedural Safeguards and	Subchapter B. Procedural Safeguards and
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§108.201. Purpose.	§350.201. Purpose.
§108.202. Procedural Safeguards.	§350.202. Procedural Safeguards.
§108.203. Responsibilities.	§350.203. Responsibilities.
§108.204. Prior Written Notice.	§350.204. Prior Written Notice.
§108.207. Parental Consent.	§350.207. Parental Consent.
§108.209. Parent Rights in the IFSP Process.	§350.209. Parent Rights in the IFSP Process.
§108.211. Parent.	§350.211. Parent.
§108.213. Surrogate Parents.	§350.213. Surrogate Parents.
§108.215. Early Childhood Intervention	§350.215. Early Childhood Intervention
Procedures for Filing Complaints.	Procedures for Filing Complaints.
§108.217. Procedures for Investigation and	§350.217. Procedures for Investigation and
Resolution of Complaints.	Resolution of Complaints.
§108.218. Mediation.	§350.218. Mediation.
§108.219. Confidentiality Notice to Parents.	§350.219. Confidentiality Notice to Parents.
§108.221. Access Rights.	§350.221. Access Rights.
§108.223. Fees for Records.	§350.223. Fees for Records.
§108.225. Amendment of Records at Parent's	§350.225. Amendment of Records at Parent's
Request.	Request.
§108.227. Opportunity for a Hearing.	§350.227. Opportunity for a Hearing.
§108.229. Minimum Requirements for	§350.229. Minimum Requirements for
Conducting a Hearing.	Conducting a Hearing.
§108.231. Results of Hearing.	§350.231. Results of Hearing.
§108.233. Release of Personally Identifiable	§350.233. Release of Personally Identifiable
Information.	Information.
§108.235. Safeguards.	§350.235. Safeguards.
§108.237. Record Retention Period.	§350.237. Record Retention Period.
§108.239. Destruction of Information.	§350.239. Destruction of Information.
§108.241. Release of Records.	§350.241. Release of Records.
Subchapter C. Staff Qualifications	Subchapter C. Staff Qualifications

§108.301. Purpose.	§350.301. Purpose.
§108.303. Definitions.	§350.303. Definitions.
§108.305. Employment Records.	§350.305. Employment Records.
§108.307. Personnel Grievances.	§350.307. Personnel Grievances.
§108.309. Minimum Requirements for All	§350.309. Minimum Requirements for All
Direct Service Staff.	Direct Service Staff.
§108.310. Criminal Background Checks.	§350.310. Criminal Background Checks.
§108.311. Licensed Professionals.	§350.311. Licensed Professionals.
§108.312. Licensed Practitioner of the	§350.312. Licensed Practitioner of the
Healing Arts (LPHA).	Healing Arts (LPHA).
§108.313. Early Intervention Specialist (EIS).	§350.313. Early Intervention Specialist (EIS).
§108.314. EIS Code of Ethics.	§350.314. EIS Code of Ethics.
§108.315. Service Coordinator.	§350.315. Service Coordinator.
Subchapter D. Case Management for	Subchapter D. Case Management for
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Disabilities	Disabilities
§108.403. Definitions.	§350.403. Definitions.
§108.404. Recipient Eligibility for Early	§350.404. Recipient Eligibility for Early
Childhood Intervention (ECI) Case	Childhood Intervention (ECI) Case
Management Services.	Management Services.
§108.405. Case Management Services.	§350.405. Case Management Services.
§108.406. Parent Refusal.	§350.406. Parent Refusal.
§108.407. Medicaid Service Limitations.	§350.407. Medicaid Service Limitations.
§108.409. Conditions for Case Management	§350.409. Conditions for Case Management
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§108.411. Assignment of Service	§350.411. Assignment of Service
Coordinator.	Coordinator.
§108.415. Documentation.	§350.415. Documentation.
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Subchapter E. Specialized Rehabilitative	Subchapter E. Specialized Rehabilitative
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§108.501. Specialized Rehabilitative	§350.501. Specialized Rehabilitative
Services.	Services.
§108.503. Recipient Eligibility.	§350.503. Recipient Eligibility.
§108.505. Conditions for Provider Agency	§350.505. Conditions for Provider Agency
Participation.	Participation.
§108.507. Due Process.	§350.507. Due Process.
Subchapter F. Public Outreach	Subchapter F. Public Outreach
§108.601. Purpose.	§350.601. Purpose.
§108.605. Definitions.	§350.605. Definitions.
§108.607. Public Outreach.	§350.607. Public Outreach.
§108.609. Child Find.	§350.609. Child Find.
§108.611. Public Awareness.	§350.611. Public Awareness.
§108.613. Publications.	§350.613. Publications.
§108.615. Interagency Coordination.	§350.615. Interagency Coordination.

§108.617. Public Outreach Contact, Planning,	§350.617. Public Outreach Contact, Planning,
and Evaluation.	and Evaluation.
Subchapter G. Referral, Pre-Enrollment,	Subchapter G. Referral, Pre-Enrollment,
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§108.701. Purpose.	§350.701. Purpose.
§108.704. Referral Requirements.	§350.704. Referral Requirements.
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§108.706. Referrals Received While the Child	§350.706. Referrals Received While the Child
is in the Hospital.	is in the Hospital.
§108.707. Child Referred with an Out-of-	§350.707. Child Referred with an Out-of-
State IFSP.	State IFSP.
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§108.709. Optional Developmental	§350.709. Optional Developmental
Screenings.	Screenings.
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§108.809. Initial Eligibility Criteria.	§350.809. Initial Eligibility Criteria.
§108.811. Eligibility Determination Based on	§350.811. Eligibility Determination Based on
Medically Diagnosed Condition That Has a	Medically Diagnosed Condition That Has a
High Probability of Resulting in	High Probability of Resulting in
Developmental Delay.	Developmental Delay.
§108.813. Determination of Hearing and	§350.813. Determination of Hearing and
Auditory Status.	Auditory Status.
§108.815. Determination of Vision Status.	§350.815. Determination of Vision Status.
§108.817. Eligibility Determination Based on	§350.817. Eligibility Determination Based on
Developmental Delay.	Developmental Delay.
§108.819. Age Adjustment for Children Born	§350.819. Age Adjustment for Children Born
Prematurely.	Prematurely.
§108.821. Qualitative Determination of	§350.821. Qualitative Determination of
Developmental Delay.	Developmental Delay.
§108.823. Continuing Eligibility Criteria.	§350.823. Continuing Eligibility Criteria.
§108.825. Eligibility Statement.	§350.825. Eligibility Statement.
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§108.831. Assistive Technology.	§350.831. Assistive Technology.
§108.833. Autism Screening.	§350.833. Autism Screening.
§108.835. Contractor Oversight.	§350.835. Contractor Oversight.
§108.837. Needs Assessment.	§350.837. Needs Assessment.
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Service Plan (IFSP)	Service Plan (IFSP)
§108.1001. Purpose.	§350.1001. Purpose.
§108.1003. Definitions.	§350.1003. Definitions.

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§108.1004. IFSP Development.	§350.1004. IFSP Development.
§108.1007. Interim IFSP.	§350.1007. Interim IFSP.
§108.1009. Participants in Initial and Annual	§350.1009. Participants in Initial and Annual
IFSP Meetings.	IFSP Meetings.
§108.1015. Content of the IFSP.	§350.1015. Content of the IFSP.
§108.1016. Planning for Services to be	§350.1016. Planning for Services to be
Delivered with the Routine Caregiver.	Delivered with the Routine Caregiver.
§108.1017. Periodic Reviews.	§350.1017. Periodic Reviews.
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IFSP.	IFSP.
Subchapter K. Service Delivery	Subchapter K. Service Delivery
§108.1101. Purpose.	§350.1101. Purpose.
§108.1104. Early Childhood Intervention	§350.1104. Early Childhood Intervention
Services Delivery.	Services Delivery.
§108.1105. Capacity to Provide Early	§350.1105. Capacity to Provide Early
Childhood Intervention Services.	Childhood Intervention Services.
§108.1107. Group Services for Children.	§350.1107. Group Services for Children.
§108.1108. State Funded Respite Services.	§350.1108. State Funded Respite Services.
§108.1111. Service Delivery Documentation	§350.1111. Service Delivery Documentation
Requirements.	Requirements.
Subchapter L. Transition	Subchapter L. Transition
§108.1201. Purpose.	§350.1201. Purpose.
§108.1203. Definitions.	§350.1203. Definitions.
§108.1205. Transition Education and	§350.1205. Transition Education and
Information for the Family.	Information for the Family.
§108.1207. Transition Planning.	§350.1207. Transition Planning.
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§108.1211. LEA Notification of Potentially	§350.1211. LEA Notification of Potentially
Eligible for Special Education Services.	Eligible for Special Education Services.
§108.1213. LEA Notification Opt Out.	§350.1213. LEA Notification Opt Out.
§108.1215. Reporting Late LEA	§350.1215. Reporting Late LEA
Notifications.	Notifications.
§108.1217. LEA Transition Conference.	§350.1217. LEA Transition Conference.
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Subchapter N. Family Cost Share System	Subchapter N. Family Cost Share System
§108.1401. Purpose.	§350.1401. Purpose.
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Administration.	Administration.

§108.1409. Parent Rights Related to the	§350.1409. Parent Rights Related to the
Family Cost Share System.	Family Cost Share System.
§108.1411. Early Childhood Intervention	§350.1411. Early Childhood Intervention
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§108.1413. IFSP Services Subject to Out-of-	§350.1413. IFSP Services Subject to Out-of-
Pocket Payment from the Family.	Pocket Payment from the Family.
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§108.1421. Insurance Premiums.	§350.1421. Insurance Premiums.
§108.1423. Co-pays, Co-Insurance, and	§350.1423. Co-pays, Co-Insurance, and
Deductibles.	Deductibles.
§108.1425. Public Benefits and Insurance.	§350.1425. Public Benefits and Insurance.
§108.1427. Maximum Charge.	§350.1427. Maximum Charge.
§108.1429. Family Size and Adjusted	§350.1429. Family Size and Adjusted
Income.	Income.
§108.1431. HHSC ECI Sliding Fee Scale.	§350.1431. HHSC ECI Sliding Fee Scale.
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§108.1435. Suspension of Services for	§350.1435. Suspension of Services for
Nonpayment.	Nonpayment.
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