

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Children with Special Health Care Needs**  
3 **Resolution #4**

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5 **Resolution to Enact an Emergency System to Address the Scarcity of**  
6 **Providers of Therapeutic Services for Early Intervention Care**

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8 **WHEREAS**, prior to and throughout the COVID-19 pandemic, New York State has  
9 observed a growing insufficiency of speech, occupational, physical and applied  
10 behavioral therapists to render related services to care for our children with special  
11 needs both in-the-home and early intervention settings; and

12  
13 **WHEREAS**, counties are responsible for ensuring that services developed in an  
14 Individualized Family Service Plan (IFSP) begin in a timely fashion, namely thirty (30)  
15 days from the date of the authorization; and

16  
17 **WHEREAS**, counties are required to assign providers to a child's IFSP that have  
18 current provider agreements with the State Department of Health and are listed by  
19 county in the New York Early Intervention System (NYEIS) database; and

20  
21 **WHEREAS**, providers listed in the NYEIS database are frequently unavailable to  
22 provide services to a child due to a variety of factors, including the area in which the  
23 child resides, providers only accepting referrals for one or two children enrolled in the  
24 Early Intervention Program (EIP) due to other commitments, full caseloads, or outdated  
25 listings for providers who no longer participate with the Early Intervention Program;  
26 and

27  
28 **WHEREAS**, because of the decline of participating and available providers, counties  
29 are not able to provide the Early Intervention services required under the law, even to  
30 already enrolled eligible children, sometimes leading to placement on wait lists; and

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32 **WHEREAS**, research demonstrates that the growth and brain development of infants  
33 and toddlers is at its highest in years 0-2, and the developmental progress of children  
34 identified with special needs could be hampered by any delays in services; and

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36 **WHEREAS**, the Standing Committee on Children with Special Health Care Needs has  
37 historically called upon the State to incentivize the aforementioned career paths to  
38 increase qualified candidates, and while that is one solution to a multi-faceted issue,  
39 many children have been left with little or no provisions and there are no permanent  
40 systems currently to proactively address when counties and have hit critical levels; and

41  
42 **WHEREAS**, it is with great awareness that needs can fluctuate with each child and  
43 setting; however, we should do our best to have a system to call upon in the event of a  
44 provider shortage.

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46 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
47 Counties calls upon the Governor and New York State Legislature to do a needs analysis

1 report with each county to quantify and identify provider need over the last 3 years to  
2 gain an understanding of the state of scarcity; and

3  
4 **BE IT FURTHER RESOLVED**, a plan to establish a pool of retired or licensure  
5 candidates to operate under a licensed professional in the execution of an IEP, IFSP or  
6 504 plan be created; and

7  
8 **BE IT FURTHER RESOLVED**, this effort, inspired by the spirit of Executive Order 4  
9 “Declaring a Statewide Disaster Emergency Due to Healthcare Staffing Shortage in the  
10 State of New York” specifically mention services related to nursing within Subdivision 5  
11 of Section 6907 and Section 6908 of the Education Law related to the use of graduates  
12 of State Education Department registered, licensure qualifying nurse practitioner  
13 education programs to be employed to practice for 180 days immediately following  
14 successful completion of a New York Registered license qualifying program, provided  
15 that the graduate files with the State Education Department an application for  
16 certification...” as well as the ability to “practice nursing under the supervision of a  
17 registered professional nurse” be a guide to how an emergency pool of providers could  
18 be generated; and

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20 **BE IT FURTHER RESOLVED**, this plan should be seen as temporary, and usage  
21 evaluated yearly; and

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23 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
24 of New York encouraging member counties to enact similar resolutions; and

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26 **BE IT FURTHER RESOLVED**, the New York State Association of Counties shall  
27 forward copies of this resolution to the Governor of the State of New York, the New York  
28 State Legislature and all others deemed necessary.