



# Paying for Early Childhood Intervention Services

## What is ECI?

Texas Early Childhood Intervention (ECI) programs serve families with children birth to 36 months with developmental delays or disabilities. ECI provides family support and specialized services to strengthen the family's ability to access resources and improve their child's development through daily activities.

ECI receives funding under Part C of the Individuals with Disabilities Education Act (IDEA), as well as from the State of Texas. Additional funding comes from the state's Family Cost Share (FCS) system.

## What is Family Cost Share (FCS)?

The FCS system is designed so families with the ability to pay will share in the cost of services.

ECI staff will work with your family to determine your monthly maximum charge. In other words, the maximum amount you can be charged per month no matter how many services your family receives or how many children your family has enrolled in ECI.

State regulations require ECI to collect payment from you to help pay for your child's services. You can pay for your child's services in two ways:

1. Use your or your child's private and/or public insurance (for example Medicaid, Children's Health Insurance Program [CHIP], and TRICARE).
2. Make payments to ECI up to a monthly maximum charge.

Your payments to ECI cover the cost of services not paid for by insurance. This includes any co-pays, co-insurance, and deductibles required by your insurance.

## ECI provides many services at no cost

To help you access initial ECI services, the following services are provided at no cost to you:

- Evaluation and assessment.
- Case management.
- Development of an Individualized Family Service Plan (IFSP).
- Translation and interpreter services, including sign language.

These initial services help identify your child’s strengths and needs, as well as locate resources to meet those needs. You will not have to pay anything for these services, however you may be asked for permission to bill your or your child’s insurance.

## **How much will I pay to ECI each month?**

The amount you pay to ECI will depend upon the factors listed below.

### 1. Your child’s foster care status

If the child you are caring for is in foster care or kinship care, you will not have to pay ECI anything. Because you are not financially responsible for the child, you are not required to provide information about your family size or income. However, ECI will ask you for consent to contact and bill Medicaid for the services provided to your child.

### 2. Your child having Medicaid

If your child has Medicaid during the month, you will not have to pay ECI anything. However, ECI will ask you for your consent to contact and bill Medicaid for the services provided to your child. If your child loses Medicaid for any reason, you may have to pay ECI for the services provided to your child.

If your child has Medicaid and private insurance, ECI must bill the private insurance before ECI can bill Medicaid. ECI will ask you for consent to contact and bill your private insurance for the services provided to your child.

### 3. The type and amount of ECI services provided in the calendar month

- ECI will not charge you for services that are not provided.
- ECI will not charge you more than what it costs to provide the service.
- ECI will not charge you for the following “no cost services:”
  - ▶ Services funded by the school district for children with auditory or visual impairments
  - ▶ Evaluations and assessments
  - ▶ Case management
  - ▶ Development of your child’s IFSP
  - ▶ Translation and interpreter services
- ECI may charge you for:
  - ▶ Assistive technology associated with therapy services
  - ▶ Speech-language pathology services

- ▶ Behavior intervention
- ▶ Occupational therapy services
- ▶ Physical therapy services
- ▶ Nutrition services
- ▶ Counseling services
- ▶ Nursing services
- ▶ Psychological services
- ▶ Health services
- ▶ Social work services
- ▶ Transportation
- ▶ Specialized skills training

4. The amount of money ECI received from your or your child’s insurance

The amount of money that ECI collects from you and your insurance cannot be more than what it costs to provide the service.

Some insurers do not allow ECI to bill you for a service that an insurer is paying for, even if the insurance payment does not cover all of ECI’s costs. Check with your insurance to see what your policy allows.

5. Insurance co-pays, co-insurance, and deductibles

ECI collects co-pays, co-insurance, and deductibles as set by your insurance. However, ECI will not collect more than the maximum charge set for your family. How ECI calculates this maximum charge is described later in this booklet. The amount you pay ECI includes, and is not in addition to, co-pays, co-insurance, and deductibles.

6. Your family size and income

Your family size and income determine your family’s maximum charge. This maximum charge is the most you could pay for ECI services for any month. Your family’s maximum charge does not change if you have more than one child receiving ECI services.

## **How is my family’s maximum charge calculated?**

Your family’s maximum charge will be calculated before your child receives the services identified on the IFSP, and at the annual IFSP meeting.

Step 1 - State your family’s size. Your family size includes your child, the child’s parents who live in the home, and your other dependents. These dependents do not have to live in your home but they do have to be financially dependent upon you.

Step 2 - State your family’s annual income. This information should be the same as the income information used on your federal income tax return, before allowed

deductions. You can use the table below to help identify the different types of income your family may have. Add all income received, from whatever source, by all of the individuals that were included when calculating family size.

Income (If you do not provide information about your income, your family will pay the full cost of services.)

<b>Income Type</b>	<b>Parent 1</b>	<b>Parent 2</b>	<b>Child and Other Dependent(s)</b>	<b>Total</b>
Wages, salaries, tips				\$
Self-employment income				\$
Farm and fishing income				\$
Unemployment benefits				\$
Dividends and interest				\$
Other				\$
			Grand Total	\$

Step 3 - Identify your family's ECI deductions. You may subtract the following from your income if they are not paid for by another source:

- Medical and dental insurance premiums
- Medical or dental expenses not covered by insurance
- Medical and dental co-pays, co-insurance, and deductibles.
- Medication, medical supplies, and diagnostic devices
- Transportation to medical or dental care
- Debt payments for medical or dental expenses
- Child care and respite expenses
- Adoption expenses
- Child support payments for children who do not live in your home

You can use the following table to figure your family’s ECI deductions.

### ECI Deductions\*

After reviewing your expenses over the last 12 months, list what you expect to spend in the following categories for the IFSP period. You may include any new expenses and unpaid balances from the last 12 months. Include expenses for all members of your family.

<b>Allowable Deduction Type</b>	<b>Parent 1</b>	<b>Parent 2</b>	<b>Child and Other Dependent(s)</b>	<b>Total</b>
Medical and dental insurance premiums				\$
Medical or dental expenses not covered by insurance				\$
Co-pays, co-insurance, deductibles				\$
Medication, medical supplies, diagnostic devices				\$
Transportation to medical or dental care				\$
Medical or dental debt that is being paid on an established payment plan				\$
Childcare and respite expenses				\$
Costs and fees associated with the adoption of a child				\$
Court-ordered child support payments for children who were not counted as family members or dependents in Step 1				\$
			Grand Total	\$

\*If you do not provide information to ECI about your deductions, you must use your income grand total from Step 2 in Step 5.

Step 4 - To calculate your ECI adjusted income subtract your ECI deductions from your income grand total in Step 2.

Step 5 – Locate your family size and ECI adjusted income on the sliding scale. This scale is updated every year. The current scale is available from ECI and at this link: [hhs.texas.gov/eci](https://hhs.texas.gov/eci)

Your maximum charge is the dollar amount listed under the column “Monthly Maximum Charge.” If you do not provide information to ECI about your income or family size, you will pay the full cost of services.

Step 6 – Complete and sign the Family Cost Share Agreement form and the Consent to Bill and Release Information form. ECI staff will help you complete the forms. If you choose to not provide information or give consent, you still must check the appropriate boxes and sign the forms.

If you do not complete and sign the Family Cost Share Agreement form, ECI cannot deny or delay the provision of “no cost services.” However, your child cannot receive other ECI services until you complete and sign the Family Cost Share Agreement form.

## Questions and Answers

### **What if I don’t agree with the maximum charge for my family?**

If you disagree with your maximum charge, you have several options.

You have the right to:

- Request a review by an ECI manager or program director.
- File an informal or formal complaint with the local program or the Health and Human Services Commission.
- Request mediation.
- File for a due process hearing.

If you would like more information on how to do any of these bulleted items, please see the [Parent Handbook](#).

### **Can my maximum charge be changed?**

You can ask ECI to review your maximum charge if your family size, income, or deductions change during the year or due to financial hardship (for example, your home is damaged by a tornado). While your request is under review, your last signed IFSP and Family Cost Share Agreement will remain in effect.

Your family size, income, deductions, private and/or public insurance, and placement on the sliding scale will be reviewed and updated at least annually, at the annual IFSP meeting.

### **What happens if I do not pay my bill?**

ECI expects you to pay your bill in less than 30 days after you receive the bill. Your bill is past due if you do not pay your bill in 30 days. Once your bill is past due, you have 90 days before ECI must suspend the services for which there is an out-of-pocket charge. Before suspending the services, ECI must remind you that you can ask for a review of your maximum charge and any past due amount.

When services are suspended due to non-payment, services that are provided at no cost, such as case management, will continue. When your account is brought into good standing after a suspension, services will be restored. ECI cannot guarantee that services will be with the same individual provider.

### **What services are provided at no cost to me?**

ECI provides the following services at no cost to you:

- Services funded by the school district for children with auditory or visual impairments
- Evaluations and assessments
- Case management
- Development of your child's IFSP
- Translation and interpreter services

ECI will ask you for your consent to bill your child's private and/or public insurance for evaluations, assessments, and case management. ECI will not collect co-pays, co-insurance, or deductibles for evaluations, assessments, and case management.

ECI must provide the "no-cost services" listed above without delay, even if:

- You do not provide income, family size, or insurance information.
- You do not sign the Family Cost Share Agreement form.
- Your maximum charge is being reviewed.
- You have not paid your bill and other ECI services have been suspended.

### **What services may be billed to my or my child's insurance?**

Some of the services in your child's IFSP may be covered by your insurance. With your consent, ECI will submit claims on your behalf to pay for your child's services.

ECI will ask you to sign a Consent to Bill and Release Information form:

- Before contacting your or your child’s insurer (to verify coverage, co-pays, and co-insurance or to obtain prior authorization).
- Before billing your child’s intervention services.
- Each time a new service is added or there is an increase to an existing service, (if your child has private insurance).
- Each time you change insurance or managed care companies.
- Annually (at the annual IFSP meeting).

ECI will submit claims for any of the following services that are covered by your or your child’s insurance with your consent:

- Evaluations and assessments
- Case management
- Behavior intervention
- Transportation
- Specialized skills training
- Assistive technology associated with therapy services
- Speech-language pathology services
- Occupational therapy services
- Physical therapy services
- Nutrition services
- Counseling services
- Nursing services
- Psychological services
- Health services

Social work services

### **What information will be shared with my or my child’s insurance?**

ECI will share only the information that is required to get approval to provide the service and submit claims for payment. This usually includes:

- Policy holder’s name, address, telephone number, date of birth, gender, employer/school name and policy number(s).
- Child’s name, address, telephone number, date of birth, gender, and relationship to the policy holder.
- Other policy information such as whether or not the child’s condition is due to an accident.
- Date, duration, place, and type of service.
- Diagnosis or reason for referral.

If your child has Medicaid or CHIP, the IFSP services page is the approval for services.

If your child has another type of insurance, the insurer may request additional information before approving services or paying. Before approving services or paying, the insurer may request:

- Physician's referral or prescription for services.
- A statement of your child's need for services, including evaluations and assessments.
- All pages of the IFSP.
- A summary of your child's progress.

You have the right to identify specific information that you do not want shared with your insurance company. This choice may affect the payment to ECI.

### **If my child has insurance, will I still have to pay?**

You will have to pay for services that are not paid for by your or your child's insurance. Some insurers have co-pays, co-insurance, deductibles, and annual or lifetime benefit maximums.

You will have to check with your insurer or the member handbook to find out:

- The services your or your child's insurance pays for.
- The services that have a co-pay or co-insurance.
- The amount of the co-pay or co-insurance.
- If you have a deductible.
- The amount of the deductible.
- If there are any annual or lifetime caps.

ECI can help you collect this information and explain how your insurance will help pay for your child's services. ECI cannot help you select insurance or manage your health care account.

If insurance pays for part of your child's services, you may be billed for the unpaid part up to the cost of services or your maximum charge, whichever is less. ECI will collect co-pays, co-insurance, and deductibles. The amount billed to you for services, co-pays, co-insurance, and deductibles added together cannot be more than your family's maximum charge.

If insurance pays the total cost of all services, ECI will not bill you for anything.

Some insurers require that ECI get permission to provide the service from the insurer before the service can be provided to your child (referred to as prior authorization). It is very important that you keep ECI up to date on your or your child's insurance. If ECI does not get permission before providing the service, the insurance may not pay and you may have to pay instead.

## **What are the advantages of using my insurance?**

Possible advantages to using your insurance:

- Your ECI bill may be less.
- Your ECI services may count toward your annual deductible.
- You will benefit from the healthcare premiums you have already paid.
- A pattern of payment and services is established if your child needs services and supports beyond age three.
- Help you learn to work with your insurance company.

## **What if my child has Medicaid or CHIP?**

ECI will ask you to sign a consent form and will submit claims on your behalf, just like with other types of insurance. It is important that you keep ECI up to date on your child's managed care company. You will need to sign a new consent form each time you change managed care companies.

If your child has Medicaid during the month you will not have to pay ECI anything. If your child loses Medicaid for any reason, you will have to pay ECI for the services provided to your child, up to your family's maximum charge.

If your child has coverage from CHIP, ECI will bill you for any services that are not paid for by CHIP. CHIP does have co-pays for some services. The amount billed to you for services not paid by CHIP plus any CHIP co-pays cannot be more than your family's maximum charge.

In the State of Texas, ECI services billed to either Medicaid or CHIP cannot result in:

- A decrease in your child's lifetime Medicaid or CHIP coverage.
- You paying for services that would normally be paid by Medicaid or CHIP.
- Increased premiums or discontinuation of Medicaid or CHIP.
- Loss of eligibility for any Medicaid home and community-based waiver.

## **What if my child has private and public insurance?**

If your child gets Medicaid and also has other insurance, you were required to provide this information on the application you completed for Medicaid. ECI will bill your private insurance before billing your public insurance. If your private insurance has a co-pay, co-insurance, or deductible and your child has Medicaid during the month, ECI will not bill you for the private insurance co-pay, co-insurance, or deductible.

ECI will ask you for consent to contact and to bill your private and public insurance. If you choose not to consent to use your public or private insurance, you will pay up to your maximum charge, based on your placement on the sliding fee scale.

### **What if my child does not have insurance coverage?**

ECI cannot deny or delay your child's services because you do not have private or public insurance.

ECI cannot require that you apply for Medicaid or CHIP. However, there are many benefits to having your child enrolled in Medicaid or CHIP. Your child will be eligible to receive dental and medical care from other Medicaid and CHIP providers.

Medicaid and CHIP eligibility is based on income and family size. ECI can help you apply for public insurance. You can go to the following link to see if your child may be able to get Medicaid or CHIP insurance: <http://www.chipmedicaid.org/en/can-i-get-it>

If you decide to apply for Medicaid or CHIP, ECI will give you 90 days to apply and will not bill you for any services during that time. After your child is enrolled in Medicaid or CHIP, or after 90 days (whichever is less), ECI will review your family's ability to pay and maximum charge. You will need to sign a new Family Cost Share Agreement form at that time.

### **What if I do not have the ability to pay for services?**

You do not have to pay ECI for services if your family has an adjusted income, after ECI deductions of less than 100 percent of the federal poverty level. (See Step 3 of the "How is my family's maximum charge calculated?" section in this booklet.)

ECI will use the information collected in Steps 1 through 5 to determine if your family has the ability to pay. (See "How is my family's maximum charge calculated?" section in this booklet.)

If you disagree with ECI's determination of your ability to pay you have several options. You have the right to:

- Request a review by an ECI manager or program director.
- File an informal or formal complaint with the local program or HHSC.
- Request mediation.
- File for a due process hearing.

For more information on how to do any of these bulleted items, please see the [Parent Handbook](#).

ECI must provide the services on the IFSP even if you do not have the ability to pay for services. ECI cannot deny or delay services because you do not have the ability to pay for services.

## **Rights**

### **What are my Family Cost Share rights?**

You have a right to receive information about how ECI will:

- Check your family's reported deductions.
- Calculate your monthly ECI bill.

You have the right to receive services without delay even if you:

- Have been determined to have an inability to pay.
- Choose to not apply for Medicaid or CHIP.
- Choose not to consent to:
  - Release personal information for billing purposes.
  - ECI billing your or your child's private or public insurance.

You have the right to be informed of all of these rights and to have a copy of this explanation of the Family Cost Share policy before:

- Giving ECI information about your family size, income, and ECI deductions.
- Being charged for services.

You have the right to:

- Refuse any ECI service you do not want or do not wish to pay for.
- Not have your personal information released for billing purposes without your written consent.
- Stop your consent to bill or release information at any time.
- Have your "ability to pay" or maximum charge reviewed.
- File a complaint with HHSC.
- Request mediation.
- Request a due process hearing.

## **Responsibilities**

### **What are my Family Cost Share responsibilities?**

You are responsible for:

- Asking questions if you do not understand something about Family Cost Share.

- Making sure that the information on the Consent to Bill and Release Information form is correct and you have signed it.
- Making sure that the information of the Family Cost Share Agreement is correct and you have signed it.
- Telling ECI when your insurance or managed care company changes.
- Paying your ECI bill.

## **What are ECI's responsibilities?**

ECI will:

1. Calculate your adjusted income.
2. Determine your ability to pay.
3. Determine your maximum charge.
4. Calculate the cost of services.
5. Keep track of the services delivered to your child during the month.
6. Identify the services your or your child's insurance pays for.
7. Submit insurance claims for those services on your behalf.
8. Determine which services, if any, have a co-pay, co-insurance, or deductible.
9. Add up the co-pays, co-insurance, and deductibles for services provided.
10. Add up the cost of services not covered by your insurance.
11. Add the amount not paid by insurance for covered services (if allowed by insurer).
12. Compare this total (items 9 through 11) to your maximum charge.
13. Bill you for the lesser of the two — the total of the items 9 through 11 or your maximum charge.
14. Use ECI federal, state, and local funds to pay for your child's services when insurance and your payments do not cover the cost of services.

Additional activities that ECI does at no cost to families are:

- Outreach activities to identify children who may be eligible for services.
- Activities to make sure parents know what their rights are regarding ECI services.
- Activities to protect the parents' and child's rights.

## **Insurance Resources**

ECI has identified some internet resources on the topic of health insurance. These resources provide definitions of insurance terms and describe the different types of health insurance. The insurance resources are at <https://hhs.texas.gov/eci>

## **“What If” situations**

- If I choose to not provide family size information, then I will pay the full cost of services.
- If I choose to not provide family income information, then I will pay the full cost of services.
- If I choose to not provide ECI deductions information, then my family’s gross income will be used to calculate the monthly maximum charge.
- If I choose to not sign the Family Cost Share Agreement form, then my child will receive only “no cost” services.

## **References**

Texas Administrative Code, Title 26, Part 1, Chapter 350, Subchapter N

Code of Federal Regulations, Title 34, Subtitle B, Chapter III, Part 303, Subpart F, §303.520, §303.521

## **Paying for ECI Services – Brief Summary**

No Cost Services — Services with no out-of-pocket charge to the family.

- Evaluations and assessments
- Translation and interpreter services
- Service coordination and case management

Services that may be reimbursed by insurance — Third party payments and ECI funds may cover a portion of the expenses for these services.

- Specialized skills training
- Service coordination and case management
- Evaluations and assessments
- Behavior intervention
- Speech-language pathology services (SLP)
- Occupational therapy services (OT)
- Physical therapy services (PT)
- Nutrition services
- Counseling services
- Nursing services
- Psychological services
- Health services
- Social work services
- Transportation
- Assistive technology associated with therapy services

## **Determining the Family's Maximum Charge**

### **Is the child in foster or kinship care?**

If yes, then family's maximum charge is zero.

### **Is the child in foster or kinship care?**

If no, then the family:

- Family determines their annual income.
- Family determines their deductions.
- ECI contractor calculates ECI adjusted income (income minus deductions).
- ECI contractor applies adjusted income to the sliding scale.
- Maximum charge is the dollar amount in the "Monthly Maximum Charge" column.
- For families who are at or below 100% of the federal poverty level, the dollar amount is zero.

## **Determining the Family's Out-of-Pocket Charge for Services**

### **Does the family have the ability to pay? (Adjusted income above 100% of the federal poverty level)**

If no, then the family pays no out-of-pocket.

### **Does the family have the ability to pay? (Adjusted income above 100% of the federal poverty level)**

If yes, then:

- Is the child enrolled in Medicaid and has the parent given consent to bill/release information?
  - ▶ If yes, then the family pays no out-of-pocket.
  - ▶ If no, then:
    - ◇ Contractor calculates the cost of services provided during the month.
    - ◇ Contractor subtracts payments received from insurance.
    - ◇ Contractor compares the unpaid balance to maximum charge. (See Maximum Charge sliding scale.)
    - ◇ Contractor bills family the lesser of the two amounts.

To find your community ECI program, go to the ECI Program Search page at [citysearch.hhsc.state.tx.us](http://citysearch.hhsc.state.tx.us) or call the HHS Office of the Ombudsman at 877-787-8999.

ECI is a program of the Texas Health and Human Services Commission, which contracts with local agencies to provide services across Texas.

If you are deaf or hard of hearing, use the relay option of your choice, or dial 7-1-1 to connect with Relay Texas.

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