

2026 -- S 2834 SUBSTITUTE A

LC004426/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO HEALTH AND SAFETY -- MATERNAL AND CHILD HEALTH SERVICES  
FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS -- EARLY INTERVENTION  
EXTENSION--BRIDGE TO PRESCHOOL

Introduced By: Senators Valverde, Mack, DiMario, DiPalma, Urso, Murray, Ujifusa,  
Appollonio, Zurier, Quezada, and Gallo

Date Introduced: March 04, 2026

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-13-22 of the General Laws in Chapter 23-13 entitled "Maternal  
2 and Child Health Services for Children with Special Health Care Needs" is hereby amended to read  
3 as follows:

4 **23-13-22. Early intervention program for developmentally disabled infants.**

5 (a) The ~~director~~ secretary of the ~~department of human services~~ executive office of health  
6 and human services (EOHHS) shall ensure that all developmentally disabled infants from birth to  
7 three (3) years of age shall be enrolled in the early intervention program. Beginning July 1, 2026,  
8 EOHHS and the department of elementary and secondary education shall create a plan to allow  
9 children to remain in early intervention until September 1 after their third birthday, as allowed by  
10 federal law 20 U.S.C. § 1435(c). Further, such plan shall include, but not be limited to, seeking any  
11 federal approvals necessary or desirable to implement the aforesaid policy. By January 1, 2028,  
12 EOHHS shall allow children who turn three (3) years old between May 1 and August 31 to remain  
13 in early intervention until September 1 after the child's third birthday. Regulations governing the  
14 delivery of services under this program, including eligibility criteria, shall be promulgated by the  
15 ~~department of human services~~ EOHHS, with the advice of the interagency coordinating council;  
16 provided, however, that all regulations promulgated by the department of health shall remain in full  
17 force and effect until the time they are replaced by regulations promulgated by the ~~department of~~  
18 ~~human services~~ EOHHS. The regulations shall stipulate, at a minimum, the following provisions

1 that are consistent with the intent of this chapter:

2 (1) The ~~director~~ [secretary](#) shall develop and maintain a procedure for the earliest possible  
3 identification and efficient referral of all developmentally disabled infants;

4 (2) The ~~director~~ [secretary](#) shall ensure that every infant identified and referred to this  
5 program is enrolled as soon as possible after birth; and further, that for infants placed on a waiting  
6 list for facility based group programming, an early intervention program shall be made available  
7 within a thirty (30) day period from the time a need is identified in the individual program plan;

8 (3) Unless parents refuse the service, the home visiting component of the program shall  
9 commence as soon as the infant has been identified as having a possible developmental disability;

10 (4) Any parent(s) who is/are dissatisfied with decisions or termination of service or with  
11 practices and procedures of a particular agency or the ~~department of human services~~ [EOHHS](#) shall  
12 notify the ~~director~~ [secretary](#) of the ~~department of human services~~ [EOHHS](#) in writing within thirty  
13 (30) calendar days and the complaint shall be reviewed in accordance with ~~department of health~~  
14 [EOHHS](#) policy and procedures, as amended, and the Administrative Procedures Act, chapter 35 of  
15 title 42.

16 (5) An early intervention program for purposes of this section shall mean a comprehensive  
17 array of educational, developmental, health, and social services provided on a calendar year basis  
18 to eligible infants, children, and their families as specified in program regulations.

19 (b) Within ninety (90) days after October 1, 2004, an evaluation plan describing outcome  
20 measures that document the program's successes and shortcomings from the previous fiscal year  
21 shall be submitted to the speaker of the house of representatives, the president of the senate and the  
22 house oversight committee and the governor and the interagency coordinating council.  
23 Development of the plan shall be made in consultation with the entities with expertise in this area  
24 and the interagency coordinating council. The plan shall include a memorandum of understanding  
25 between the department of health, department of human services and the department of elementary  
26 and secondary education that demonstrates coordination and continuity of early intervention  
27 services among these departments.

28 (c) Within six (6) months after January 1, 2005 where prescribed outcomes documented in  
29 the evaluation plan have not been accomplished the responsible agencies shall submit written  
30 explanations for the shortfalls, together with their proposed remedies. The report shall also include  
31 evaluation of the progress of the coordination efforts between the department of health and the  
32 department of human services and the department of elementary and secondary education and the  
33 interagency coordinating council and shall include any recommendations regarding modifications  
34 of the reimbursement mechanisms of this chapter.

1 (d) Within twelve (12) months after August 1, 2005 a final report shall include the progress  
2 of the coordination efforts between the department of health and the department of human services  
3 and department of elementary and secondary education, interagency coordinating council and shall  
4 include any recommendations regarding modifications to the comprehensive array of educational,  
5 developmental, health and social services provided on a calendar year basis to eligible infants,  
6 children and their families as specified in an early intervention system.

7 (e) All reports or documents required to be produced pursuant to 20 U.S.C. § 1471 et seq.,  
8 shall be submitted to the speaker of the house, president of the senate and the chairpersons of the  
9 appropriate house of representatives and senate oversight committees and the governor and the  
10 interagency coordinating council. Adherence to such plans and reporting requirements, and budgets  
11 and the timely achievement of goals contained therein shall be considered by the oversight  
12 committees of the house of representatives and senate, among other relevant factors, in determining  
13 appropriations or other systemic changes.

14 (f) In developing and implementing the plan to extend early intervention services beyond  
15 age three (3) as provided in subsection (a) of this section, the secretary shall:

16 (1) Appoint and convene an implementation advisory committee to advise on the  
17 implementation of the plan. The committee shall include:

18 (i) The individual designated by the state to serve as the coordinator for Part C in EOHHS;

19 (ii) The individual designated by the state to serve as the coordinator for Section 619 of the  
20 Individuals with Disabilities Education Act (IDEA) in the department of elementary and secondary  
21 education;

22 (iii) Not fewer than three (3) representatives of early intervention provider agencies;

23 (iv) Not fewer than two (2) representatives of local education agencies (“LEA”);

24 (v) Not fewer than two (2) advocates or experts with demonstrated expertise in early  
25 intervention or early childhood special education; and

26 (vi) Not fewer than two (2) parents of children who have received early intervention  
27 services and have transitioned to early childhood special education within the preceding three (3)  
28 years.

29 (2) The implementation advisory committee shall:

30 (i) Meet for a period of at least one year following the official effective date of the extension  
31 policy;

32 (ii) Identify strategies to reduce administrative burdens on families, early intervention  
33 providers, LEA, and the state including, but not limited to, the use of federal funds earmarked for  
34 early intervention extension to the extent allowable;

1            (iii) Earmark appropriate federal early intervention funding and develop shared resources  
2 to support training and development for early intervention providers and LEA regarding the  
3 extension option; and

4            (iv) Develop strategies to maximize providers' ability to support the new over-three (3)  
5 population during spring and summer months, including through the appropriate use of group-based  
6 therapies while maintaining services necessary to meet individualized developmental needs.

7            (3) All meetings of the implementation advisory committee shall be open to the public and  
8 conducted in accordance with chapter 46 of title 42.

9            (4) Not later than September 30, 2031, the secretary shall prepare and submit to the speaker  
10 of the house of representatives and the president of the senate a report evaluating the  
11 implementation of the extension plan provided for in subsection (a) of this section. The report shall  
12 include, but not be limited to: data regarding the number of families who elected to extend early  
13 intervention services and the number of families who declined to extend early intervention services;  
14 and an assessment of the impact of the extension provided for in subsection (a) of this section on  
15 children, families, early intervention providers, LEA, and the state.

16            SECTION 2. Section 27-18-64 of the General Laws in Chapter 27-18 entitled "Accident  
17 and Sickness Insurance Policies" is hereby amended to read as follows:

18            **27-18-64. Coverage for early intervention services.**

19            (a) Every individual or group hospital or medical expense insurance policy or contract  
20 providing coverage for dependent children, delivered or renewed in this state on or after July 1,  
21 2004, shall include coverage of early intervention services which coverage shall take effect no later  
22 than January 1, 2005. Such coverage shall not be subject to deductibles and coinsurance factors.  
23 Any amount paid by an insurer under this section for a dependent child shall not be applied to any  
24 annual or lifetime maximum benefit contained in the policy or contract. For the purpose of this  
25 section, "early intervention services" means, but is not limited to, speech and language therapy,  
26 occupational therapy, physical therapy, evaluation, case management, nutrition, service plan  
27 development and review, nursing services, and assistive technology services and devices for:

28            (1) ~~dependents~~ Dependents from birth to age three (3) who are certified by the executive  
29 office of health and human services ("EOHHS") as eligible for services under ~~part~~ Part C of the  
30 Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.); or

31            (2) Dependents who are older than age three (3) and are eligible for services pursuant to §  
32 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals  
33 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

34            (b) Insurers shall reimburse certified, early intervention providers, who are designated as

1 such by the ~~executive office of health and human services~~ (EOHHS), for early intervention services  
2 as defined in this section at rates of reimbursement equal to, or greater than, the prevailing  
3 integrated state Medicaid rate for early intervention services as established by the ~~executive office~~  
4 ~~of health and human services~~ (EOHHS).

5 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital  
6 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare  
7 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily  
8 injury or death by accident or both; and (9) Other limited benefit policies.

9 SECTION 3. Section 27-19-55 of the General Laws in Chapter 27-19 entitled "Nonprofit  
10 Hospital Service Corporations" is hereby amended to read as follows:

11 **27-19-55. Coverage for early intervention services.**

12 (a) Every individual or group hospital or medical expense insurance policy or contract  
13 providing coverage for dependent children, delivered or renewed in this state on or after July 1,  
14 2004, shall include coverage of early intervention services which coverage shall take effect no later  
15 than January 1, 2005. The coverage shall be limited to a benefit of five thousand dollars (\$5,000)  
16 per dependent child per policy or calendar year and shall not be subject to deductibles and  
17 coinsurance factors. Any amount paid by an insurer under this section for a dependent child shall  
18 not be applied to any annual or lifetime maximum benefit contained in the policy or contract. For  
19 the purpose of this section, "early intervention services" means, but is not limited to: speech and  
20 language therapy, occupational therapy, physical therapy, evaluation, case management, nutrition,  
21 service plan development and review, nursing services, and assistive technology services and  
22 devices for;

23 (1) ~~dependents~~ Dependents from birth to age three (3) who are certified by the ~~department~~  
24 ~~of executive office of health and~~ human services ("EOHHS") as eligible for services under ~~part~~  
25 Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.); or

26 (2) Dependents who are older than age three (3) and are eligible for services pursuant to §  
27 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals  
28 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

29 (b) Subject to the annual limits provided in this section, insurers shall reimburse certified  
30 early intervention providers, who are designated as such by the ~~department of human services~~  
31 EOHHS, for early intervention services as defined in this section at rates of reimbursement equal  
32 to or greater than the prevailing integrated state/Medicaid rate for early intervention services as  
33 established by the ~~department of human services~~ EOHHS.

34 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital

1 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare  
2 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily  
3 injury or death by accident, or both; and (9) Other limited benefit policies.

4 SECTION 4. Section 27-20-50 of the General Laws in Chapter 27-20 entitled "Nonprofit  
5 Medical Service Corporations" is hereby amended to read as follows:

6 **27-20-50. Coverage for early intervention services.**

7 (a) Every individual or group hospital or medical expense insurance policy or contract  
8 providing coverage for dependent children, delivered or renewed in this state on or after July 1,  
9 2004, shall include coverage of early intervention services which coverage shall take effect no later  
10 than January 1, 2005. The coverage shall be limited to a benefit of five thousand dollars (\$5,000)  
11 per dependent child per policy or calendar year and shall not be subject to deductibles and  
12 coinsurance factors. Any amount paid by an insurer under this section for a dependent child shall  
13 not be applied to any annual or lifetime maximum benefit contained in the policy or contract. For  
14 the purpose of this section, "early intervention services" means, but is not limited to: speech and  
15 language therapy; occupational therapy; physical therapy; evaluation; case management; nutrition;  
16 service plan development and review; nursing services; and assistive technology services and  
17 devices for:

18 (1) ~~dependents~~ Dependents from birth to age three (3) who are certified by the ~~department~~  
19 ~~of executive office of health and~~ human services ("EOHHS") as eligible for services under ~~part~~  
20 Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.); or

21 (2) Dependents who are older than age three (3) and are eligible for services pursuant to §  
22 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals  
23 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

24 (b) Subject to the annual limits provided in this section, insurers shall reimburse certified  
25 early intervention providers, who are designated as such by the ~~department of human services~~  
26 EOHHS, for early intervention services as defined in this section at rates of reimbursement equal  
27 to or greater than the prevailing integrated state/Medicaid rate for early intervention services as  
28 established by the ~~department of human services~~ EOHHS.

29 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital  
30 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare  
31 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily  
32 injury or death by accident or both; and (9) Other limited benefit policies.

33 SECTION 5. Section 27-41-68 of the General Laws in Chapter 27-41 entitled "Health  
34 Maintenance Organizations" is hereby amended to read as follows:

1 **27-41-68. Coverage for early intervention services.**

2 (a) Every individual or group hospital or medical expense insurance policy or contract  
3 providing coverage for dependent children, delivered or renewed in this state on or after July 1,  
4 2004, shall include coverage of early intervention services which coverage shall take effect no later  
5 than January 1, 2005. The coverage shall be limited to a benefit of five thousand dollars (\$5,000)  
6 per dependent child per policy or calendar year and shall not be subject to deductibles and  
7 coinsurance factors. Any amount paid by an insurer under this section for a dependent child shall  
8 not be applied to any annual or lifetime maximum benefit contained in the policy or contract. For  
9 the purpose of this section, "early intervention services" means, but is not limited to: speech and  
10 language therapy, occupational therapy, physical therapy, evaluation, case management, nutrition,  
11 service plan development and review, nursing services, and assistive technology services and  
12 devices for;

13 (1) ~~dependents~~ Dependents from birth to age three (3) who are certified by the ~~department~~  
14 ~~of executive office of health and~~ human services ("EOHHS") as eligible for services under ~~part~~  
15 Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.); or

16 (2) Dependents who are older than age three (3) and are eligible for services pursuant to §  
17 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals  
18 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

19 (b) Subject to the annual limits provided in this section, insurers shall reimburse certified  
20 early intervention providers, who are designated as such by the ~~department of human services~~  
21 EOHHS, for early intervention services as defined in this section at rates of reimbursement equal  
22 to or greater than the prevailing integrated state/Medicaid rate for early intervention services as  
23 established by the ~~department of human services~~ EOHHS.

24 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital  
25 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare  
26 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily  
27 injury or death by accident or both; and (9) Other limited benefit policies.

28 SECTION 6. This act shall take effect on July 1, 2026.

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LC004426/SUB A  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- MATERNAL AND CHILD HEALTH SERVICES  
FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS -- EARLY INTERVENTION  
EXTENSION--BRIDGE TO PRESCHOOL

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1           This act would permit children with diagnosed developmental disabilities whose third  
2 birthday is between May 1 and August 31 to continue to receive early intervention services through  
3 September 1 after the child's third birthday. Further, this act would direct the EOHHS to develop  
4 and implement a plan to ensure continuity of services and minimize gaps in support as children  
5 with services transition to early childhood special education. Additionally, this act would require  
6 private health insurers to cover this extended early intervention option.

7           This act would take effect on July 1, 2026.

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