



130th MAINE LEGISLATURE

LD 2039

LR 2686(01)

An Act To Reorganize the Provision of Services for Infants, Toddlers and Children with Disabilities from Birth to 6 Years of Age and Extend the Age of Eligibility under the Federal Individuals with Disabilities Education Act to 22 Years of Age

Fiscal Note for Original Bill
Committee: Education and Cultural Affairs
Fiscal Note Required: Yes

Fiscal Note

Potential future biennium cost increase - General Fund

Fiscal Detail and Notes

Under current law, services for infants, toddlers and children with disabilities from birth to 6 years of age is provided through the Child Development Services System (CDS) which receives General Fund appropriations of approximately \$39.7 million per year along with approximately \$5.3 million annually in federal funds. This legislation reorganizes how services to these children are provided and extends the age that a child with a disability is eligible to receive services under the Individuals with Disabilities Education Act from age 21 to age 22. The bill requires the Department of Education to develop projections for the total cost of this reorganization and to report to the joint standing committee having jurisdiction over education matters on the cost and proposed funding mechanisms by November 2, 2022. If the projected costs exceed current funding levels, additional General Fund appropriations will be required.

As part of the reorganization, the bill requires school administrative units (SAU's) to assume responsibility for identifying and providing free, appropriate public education (FAPE) for children with disabilities from 3 years of age to under 6 beginning July 1, 2024 using their own employees or through contracts with public or private providers (SAU's are allowed to contract with the Child Development Services System until July 1, 2026) only if funding is provided to cover the total costs to SAU's through a funding formula to be developed by the Department of Education. The bill allows for funds appropriated to the current Child Development Services System program for children with disabilities from 3 years of age to under 6 to be reallocated through a reimbursement model developed by the department to SAU's beginning July 1, 2024.

This legislation also repeals the current Child Development Services System and replaces it with a State Intermediate Educational Unit (SIEU) established as a public instrumentality of the State responsible for identifying, evaluating and providing early intervention services to eligible infants and toddlers with disabilities from birth to under age 3 and their families effective July 1, 2026. The bill requires the Department of Education to develop a funding mechanism for the SIEU to be in place by that effective date.

This bill requires the Department of Education to pay 100% of the costs for compensatory services for children with a disability from 3 years of age to under 6 years of age who have been underserved through the current model from fiscal year 2022-23 through fiscal year 2025-26. This requirement is expected to result in additional costs to the State, but the total impact can not be estimated at this time.

Any additional costs to the Department of Health and Human Services from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.