

# Support HB 168: Support Infants and Toddlers with Disabilities and Developmental Delays

Testimony to the House Human Services Committee on March 16, 2021

*There are three ways that HB 168 supports children with autism, speech delays, Down syndrome, and other developmental delays and disabilities during the period of rapid brain development that happens before age three:*

**1) HB 168 gives infants and toddlers with disabilities and developmental delays a better chance of receiving Early Childhood Intervention (ECI) services when they are most effective.**

The state contracts with nonprofit community groups and other ECI providers to offer physical therapy, occupational therapy, speech therapy, and other support to infants and toddlers with delays and disabilities. These services have proven effective at helping children learn to walk, communicate with their families, get ready to attend school, and potentially avoid costly special education services.

**The sooner children start ECI, the more effective it is – but many children do not receive services until they are older because of delays in noticing delays and disabilities and referring children to ECI.**

Parents value child care providers' input on their children's development, yet only 2% of ECI referrals are from child care providers. This is a missed opportunity.

HB 168 will ensure more child care providers have access to information and training on how to identify potential delays and connect families with ECI. Free training opportunities are offered by Texas A&M Agrilife Extension and there is a new training created by the state ECI office called "All Together Now".

**Under HB 168, parents would receive information about ECI if child care providers believe their child needs services – and then it would be up to the parents to decide if they would like the ECI provider to conduct a screening to determine if the child needs services.**

**2) HB 168 also provides better access to ECI by communicating to child care providers that federal law requires them to allow children in their care to receive ECI services in the classroom.**

Adding the federal law<sup>1</sup> to the section of Texas Code regarding child care will ensure that more child care providers are aware of the requirement. Allowing ECI providers into the classroom to work on improving a child's behavior or communication, for example, supports that child, improves the experience of all children in the classroom, helps the teacher learn how to work with that child, and is required by federal law.

**3) HB 168 communicates to child care providers that federal law prohibits them from discriminating against children because of a disability – but that they may deny admission to a child if admission would fundamentally alter their program or pose a risk to others.**

While discrimination based on disability is already prohibited by the American Disability Act (ADA), also including the provision in state child care law will ensure that more child care providers know and follow the law.<sup>2</sup>

## **Endnotes**

1. 34 CFR Part 303.26 and Texas Administrative Code [TITLE 26, PART 1, CHAPTER 350, SUBCHAPTER K](#), RULE §350.1104.
2. U.S. Dept. of Justice. COMMONLY ASKED QUESTIONS ABOUT CHILD CARE CENTERS AND THE AMERICANS WITH DISABILITIES ACT. <https://www.ada.gov/childqanda.htm>