

Louisiana Part C

Table B – Previously-Identified Issues

Issue	State Submission	OSEP Analysis	Required Action
<p>Indicator 1: 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1)</p> <p>Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.</p> <p>The State's Part C FFY 2005 grant included Special Conditions to ensure compliance with the requirements of this indicator. A final Progress Report with data demonstrating compliance with the requirements of this indicator is due by April 14, 2006.</p>	<p>The State reported for FFY 2004, a 75.55% level of compliance in the SPP for FFY 2004 for the requirements of Indicator 1, the timely provision of early intervention services identified on the child's IFSP (34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1)). The State's final Progress Report on this issue for its FFY 2005 Part C grant is not due until April 14, 2006.</p>	<p>OSEP will respond to this issue after it receives the State's Progress Report under the Special Conditions, due by April 14, 2006.</p>	<p>The State's final Progress Report under its FFY 2005 Special Conditions, due by April 14, 2006, must provide data demonstrating compliance with this requirement. Failure to provide data demonstrating compliance at that time may result in the State's continuing designation as a "high risk" grantee or otherwise affect its FFY 2006 grant award.</p>
<p>Indicator 7: 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a)</p> <p>Percent of eligible infants and toddlers with IFSPs for whom an evaluation and assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline.</p> <p>The State's Part C FFY 2005 grant included Special Conditions to ensure compliance with the requirements of this indicator. A final Progress Report with data demonstrating compliance with these requirements is due by April 14, 2006.</p>	<p>The State reported for FFY 2004, a 90.58% level of compliance in the SPP for FFY 2004 for the requirements of Indicator 7, the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a). The State's final Progress Report on this issue for its FFY 2005 Part C grant is not due until April 14, 2006.</p>	<p>OSEP will respond to this issue after it receives the State's Progress Report under the Special Conditions, due by April 14, 2006.</p>	<p>The State's final Progress Report under its FFY 2005 Special Conditions, due by April 14, 2006, must provide data demonstrating compliance with this requirement. Failure to provide data demonstrating compliance at that time may result in the State's continuing designation as a "high risk" grantee or otherwise affect its FFY 2006 grant award.</p>

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<p>Indicator 9: Correction of Noncompliance 34 CFR §303.501(b)</p> <p>In its October 14, 2005 response to the State's FFY 2003 APR, OSEP required the State to provide documentation, with its SPP, of correction of the noncompliance regarding ensuring timely correction of all identified noncompliance. Specifically, the State was to provide: (1) a list of agencies or providers in which the Department of Health and Hospitals (DHH) found noncompliance since July 1, 2003, and the corrective action(s) DHH required the agency or provider to take; (2) any correction data provided by that agency or provider; and (3) the status of correction of the noncompliance.</p>	<p>In its response to Indicator 9 in the SPP and in attachments 2, 3 & 4, the State reported the following data for FFY 2004:</p> <p>Indicator 9A – The State ensured the correction of 94% of noncompliance related to monitoring areas and indicators within one year of identification.</p> <p>Indicator 9B – The State did not report any findings of noncompliance related to areas not included in the monitoring priority areas.</p> <p>Indicator 9C - The State ensured correction of 100% of noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.) within one year of identification.</p>	<p>The State reported a 94% level of compliance for Indicator 9A in the SPP, specifically the requirement of 34 CFR §303.501(b) to ensure the timely correction of noncompliance identified through monitoring. While this level of compliance is below 100% and requires improvement activities to achieve full compliance, OSEP recognizes the effort made by the State in working toward compliance with this requirement.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement.</p>
<p>Indicator 9: IFSP Meeting and Parent Consent under 34 CFR §§303.342 and 303.404</p> <p>The State's FFY 2005 Part C grant included Special Conditions to ensure compliance with the IFSP meeting and parent consent requirements under 34 CFR §§303.342 and 303.404. A final Progress Report with data demonstrating compliance with these requirements is due by April 14, 2006.</p>	<p>The State's final Progress Report on this issue for its FFY 2005 Part C grant is not due until April 14, 2006.</p>	<p>OSEP will respond to this issue after it receives the State's Progress Report under the Special Conditions, due by April 14, 2006.</p>	<p>The State's final Progress Report under its FFY 2005 Special Conditions, due by April 14, 2006, must provide data demonstrating compliance with this requirement. Failure to provide data demonstrating compliance at that time may result in the State's continuing designation as a "high risk" grantee or otherwise affect its FFY 2006 grant award.</p>
<p>Indicator 9: Identifying All Needed Early Intervention (EI) Services on the IFSP under 34 CFR §303.344(d)</p> <p>The State's FFY 2005 Part C grant included Special Conditions to ensure compliance with the identification of all needed early intervention (EI) services on the IFSP under 34 CFR §303.344(d). A final Progress Report with data demonstrating compliance with this requirement is due by April 14, 2006.</p>	<p>The State's final Progress Report on this issue for its FFY 2005 Part C grant is not due until April 14, 2006.</p>	<p>OSEP will respond to this issue after it receives the State's Progress Report under the Special Conditions, due by April 14, 2006.</p>	<p>The State's final Progress Report under its FFY 2005 Special Conditions, due by April 14, 2006, must provide data demonstrating compliance with this requirement. Failure to provide data demonstrating compliance at that time may result in the State's continuing designation as a "high risk" grantee or otherwise affect its FFY 2006 grant award.</p>

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<p>Indicator 9: Provision of Services in Natural Environments 34 CFR §§303.344(d)(1)(ii), 303.18 and 303.12(b)</p> <p>OSEP's October 14, 2005 response to the State's FFY 2003 APR required the State to provide, in its SPP: (1) a list of the agencies in which DHH implemented monitoring procedures, including for natural environments and justifications for services not provided in natural environments, from July 1, 2003 through February 28, 2005; and (2) the date and nature of any findings of noncompliance with those requirements that DHH made in any of those agencies, and the status of correction of such findings.</p>	<p>In its response to Indicator 9 in the SPP and in Attachment 2, the State reported that: (1) OSEP made findings of noncompliance regarding the provision of services in natural environments in 10 agencies; (2) the Lead Agency determined in March 2004 that two of those agencies had corrected the noncompliance, and one other was no longer providing Part C services; (3) it determined in December 2005 that an additional five agencies had corrected the noncompliance and one other was no longer providing Part C services; and (4) the State could not (and would not ever be able to) determine whether the one remaining agency had corrected the noncompliance, because the agency's files were inaccessible due to damage from Hurricane Katrina. The State indicated it continues to monitor agencies to ensure compliance with all requirements of Part C.</p>	<p>The State reported data showing full correction of the previously-identified noncompliance with the requirements at 34 CFR §§303.344(d)(1)(ii), 303.18 and 303.12(b).</p>	<p>No further action required.</p>
<p>Indicator 9: Coordination of All Services Needed by Family and Child 34 CFR §303.23(a)(2)(i) and (3)(ii)</p> <p>OSEP's October 14, 2005 response to the State's FFY 2003 APR required the State to provide, in its SPP: (1) a description of its procedures for monitoring agencies to ensure that infants and toddlers with disabilities and their families received service coordination that met all of the requirements; (2) a list of the agencies in which DHH has implemented those monitoring procedures from July 1, 2003 through February 28, 2005, the date and nature of any findings of noncompliance with those requirements that DHH made in any of those agencies; and (3) the status of correction of such findings.</p>	<p>In its response to Indicator 9 in the SPP and in Attachment 4, the State reported that: (1) OSEP made findings of noncompliance regarding the coordination of all services in 7 agencies; and (2) the Lead Agency determined that by December 2005, 2 of the agencies were no longer providing Part C services and the other 5 had corrected the noncompliance. The State indicated it continues to monitor agencies to ensure compliance with all requirements of Part C.</p>	<p>The State reported data showing full correction of the previously-identified noncompliance with the requirement at 34 CFR §303.23(a)(2)(i) and (3)(ii).</p>	<p>No further action required.</p>

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<p>Indicator 9: Transportation Services 34 CFR §303.12(d)(15)</p> <p>OSEP's October 14, 2005 response to the State's FFY 2003 APR required the State to provide, in its SPP: (1) a description of the procedures that it used to monitor agencies to ensure that transportation needed to enable families to participate in early intervention services were included in the IFSP and provided as an early intervention service; (2) a list of the agencies in which DHH implemented monitoring procedures from July 1, 2003 through February 28, 2005; (3) the date and nature of any findings of noncompliance with this requirement that DHH made in any of those agencies; and (4) the status of correction of such findings.</p>	<p>In its response to Indicator 9 and Attachment 3 in the SPP, the State reported that: (1) OSEP made findings of noncompliance regarding the provision of transportation in 10 agencies; and (2) the Lead Agency determined that by December 2005, 1 of the agencies was no longer providing services, 8 others had corrected the noncompliance, and the State could not (and would not ever be able to) determine whether the one remaining agency had corrected the noncompliance, because the agency's files were inaccessible due to damage from Hurricane Katrina. The State indicated it continues to monitor agencies to ensure compliance with all requirements of Part C.</p>	<p>The State reported data showing full correction of the previously-identified noncompliance with the requirement at 34 CFR §303.12(d)(15).</p>	<p>No further action required.</p>
<p>Indicator 10: Complaint Timelines 34 CFR §303.512(a)</p> <p>In its October 14, 2005 response to the State's FFY 2003 APR, OSEP identified noncompliance with the requirements of 34 CFR §303.512(a) regarding the timeliness of complaint decisions. OSEP's letter required the State to: (1) include data and analysis documenting progress toward compliance in the SPP; and (2) provide a final report to OSEP, including data and analysis demonstrating compliance, no later than 30 days following one year from the date of the letter.</p>	<p>In its response to Indicator 10 in the SPP, the State reported 100% of complaints filed were resolved within 60 days.</p>	<p>State reported data indicating compliance with the timely decisions requirement at 34 CFR §303.512(a). OSEP appreciates the State's efforts in ensuring compliance with this requirement.</p>	<p>No further action required.</p>